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# Prison Labour, &c.

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CORRESPONDENCE AND COMMUNICATIONS

ADDRESSED TO

HIS MAJESTY'S PRINCIPAL SECRETARY OF STATE  
FOR THE HOME DEPARTMENT,

CONCERNING

THE INTRODUCTION OF TREAD-MILLS INTO PRISONS,  
WITH  
OTHER MATTERS CONNECTED WITH THE SUBJECT OF PRISON  
DISCIPLINE.

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BY SIR JOHN COX HIPPISLEY, BART.

D. C. L. F. R. and A. S.

A BENCHER OF THE INNER TEMPLE.

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LONDON:

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1823.



TO THE

RIGHT HON. ROBERT PEEL, M. P.

HIS MAJESTY'S PRINCIPAL SECRETARY OF STATE FOR THE  
HOME DEPARTMENT, &c. &c. &c.

SIR,

Since I had the honour of addressing you, in your official character, from the Isle of Wight, in the month of October last—subsequent to a private conference at Lulworth Castle, where I put into your hand the early part of my correspondence on the subject of PRISON-LABOUR, principally as it regarded the novel introduction of the TREAD-WHEEL—you have considered the subject of sufficient moment to move, in Parliament, for the production of other communications to the same effect. The official requisition, addressed under your authority to the VISITING MAGISTRATES, is distinctly limited to those Prisons “wherein TREAD-WHEELS have been established,” but the title of the Parliamentary Paper, printed by order of the House, on the 10th of March, as distinctly states the contents to be, and consequently authorizes us, in the tenour of

your original Motion, to look for “ Copies of all Communications made to, or received by, the Secretary of State for the Home Department, respecting the use of Tread-Wheels in Gaols or Houses of Correction.” These terms are confessedly wide enough to have included the essential parts of my own Correspondence ; but it is not for me to question the official propriety of the subsequent distinction.

Though, as an acting provincial Magistrate, I cannot but necessarily regard the introduction of the **TREAD-WHEEL**, in our Prisons, as a measure of no indifferent consideration ; yet, standing *individually* pledged and under specific engagements, for the completion of extensive buildings in the most considerable of the Houses of Correction in the County of Somerset,—an engagement subsisting under the orders and confirmation of successive Courts of the General Sessions—I am compelled to contemplate, with increased anxiety, the use and rapid progress of this novel system,—which, under the assumed denomination of *Prison Labour*, is, in fact, subversive of all *Manual Labour*, and cannot fail to paralyse every such effort as that now adverted to, contracted in the spirit and letter of the

existing Law, and productive of results, the great benefits of which have been generally recognized.

Since my original Address to you, however, other circumstances have occurred, that seem in a tenfold degree to call the attention of the Public to the actual, and, in the opinion of many persons of unquestionable authority, as well as myself, *mischievous* effects of the Tread-Mill: for it is scarcely possible, Sir, that it should not have reached you, by rumour at least, that a desire has been shown to bring forward this formidable instrument of punishment from our Prisons, where punishment is called for, into our Poor-houses, where no criminal charge is exhibited: and that this desire has been actually carried into effect in one district, at least, of a considerable County, though against the consent of a part of the acting Magistrates in the same division, the paupers who refused to work at it, as appealing to their own innocence, having been sent to the County Goal, and not only compelled to labour at the Tread-Wheel there, but to submit to a spare diet, as having evinced by their refusal a contumacious spirit.

In the several statements which I had thought

it my duty to submit to your consideration, my sole object was a serupulous investigation of highly important faets, intimately connected with the administration of the Criminal Police of the Country; and from the evidence which has been addueed, supported by the professional opinions of individuals whose rank and character entitle them to every attention, I now eonsider it, my espeeial duty, in the partieular predieament in whieh I am placed, to give the ori-ginal Statement a more extended eirculation than I at first contemplated, and to submit it to the tribunal of the Publie, with such additions as the nature of the case seems to require; so, that while a measure of the magnitude and importanee of the renewed Gaol-Bill is passing through its different stages in Parliament, the facts and opinions I have thus embodied may be generally known, and whatever bearing they may be found to have upon this important subject, may be duly weighed and appreeiated.

I have the honour to be

with great respect,

Sir,

Your most obedient  
and most humble servant,

J. C. HIPPISLEY.

*Grosvenor Street,  
June 8, 1823.*

## CONTENTS.

	I.	
Introduction. - - - -		<i>page 1</i>
	II.	
Copy of Letter to Mr. Secretary Peel, with the original Statements transmitted to the several Clerks of the Peace. - - - -		<i>page 90</i>
	III.	
Copies of all Communications made to the Secretary of State of the Home Department, respecting TREAD- WHEELS in Gaols or Houses of Correction. Ordered to be printed, by the House of Commons, 10th March, 1823. - - - -		<i>page 162</i>
	IV.	
Description of the Sketch of an Improved Hand-Crank- Mill. - - - -		<i>page 190</i>

## APPENDIX.

	I.	
Extracts from the Evidence of Sir John Palmer Acland, Bart. taken in the Select Committee of the House of Lords, 27th May, 1819. - - - -		<i>page 199</i>
	II.	
Extract from the Evidence of Sir John Palmer Acland, Bart. taken in the select Committee of the House of Commons, 7th June, 1819. - - - -		<i>page 200</i>
	III	
Extract from the Evidence of Sir J. C. Hippisley, Bart. taken in the Select Committee of the House of Com- mons, 23rd June, 1819. - - - -		<i>page 210</i>
	IV.	
Extract of a Note of Sir J. C. Hippisley, Bart. addressed to the Shepton Prison Committee, dated Ston-Easton, Feb. 25, 1822. - - - -		<i>page 213</i>

\* \* \* It was desirable that the publication of the following pages should have taken place before the GAOL BILL had made so considerable a progress in Parliament, but as no restriction has been hitherto imposed on the selection of particular modes of PRISON LABOUR, and it is understood that none is intended by the promoters of the Bill, the delay in the publication, which has been unavoidable, is less to be regretted. If, in reprinting the *Statement* which had been previously circulated among the Magistracy, through the several Clerks of the Peace, some trifling alterations in the text and notes have taken place, no variation of the facts originally stated will be found, though it has been attempted, in some instances, to place them in a more distinct view, together with such additional information as has since occurred. The casual typographical errors must be left to the reader's indulgence.

June 26, 1823.

#### ERRATA.

- Page 11, Note, line 2, for *have*, read *has*.  
34, line 9, for *their*, read *other*.  
— line 14, for *prescribed*, read *described*.  
197, line 5, for *has*, read *have*.

# Prison Labour, &c.

## I.

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### INTRODUCTION.

THERE are few subjects which have of late more occupied the attention of the Public than the mode of discipline which is now gradually introducing into our Houses of Correction and other Prisons through the means of the TREAD-WHEEL; a machine of gigantic and most complicated structure, which in the opinion of most who have not thoroughly studied its nature and actual effects, is admirably adapted as the means of punishment in all cases and descriptions of misdemeanors; and gives a fair promise of enabling us, in a short time, to shut up our Houses of Correction for want of fresh supplies of delinquents, and to discharge, from their several posts, the vast host of Gaolers and subordinate Officers who at present superintend them.

The tide of popular opinion has its ebbs and flows like that of the ocean, and is well known never to continue at one stay. There was a time when almost all the Prisons of this Country were dungeons of the grossest misery and wretchedness; hot-beds or rather dunghills of moral and physical contamination, in which it was difficult to say whether the mind or the body was most corrupt with disease, or scattered the worse pestilence throughout the Country. The immured victimis, for the most part, sunk beneath their fate or their criminality, unpitied and little

heard of, except from the contagious effects of concentrated vice and moral ruin which they carried with them on their liberation. A few individuals occasionally interfered in former times, among whom it is impossible to forget the immortalized names of a HOWARD or of HANWAY ;\*—and an embodied assembly of characters of just renown for benevolence and comprehensive intelligence upon the subject have widely and most efficaciously taken it in hand in our own day ; and hence has arisen the PRISON DISCIPLINE SOCIETY.

This laudable association has, by its united exertions, and uplifted voice, and especially by the concurrent aid of Government, so far cleared and purified, and rendered tolerable the Augean Stable in which they have been at work, that the Public, who were completely with them in their first exertions, have, for some time, begun to apprehend that the act of benevolence has been carried somewhat too far ; and that our hitherto foul and miserable prisons have been, at length, too much converted into abodes of comfortable ease, subsistence, and education : and, it cannot be denied that not a few of the more idle vagabonds that have been discharged from their walls have occasionally spoken of them in a very favourable light, and expressed no reluctance to return to them again.

A considerable reaction in the public feeling has hence ensued ; the Legislature has been called upon to sanction

\* Though the efforts of the indefatigable and benevolent HANWAY had been otherwise directed than in immediately exploring the pestilential recesses of the gaols and other prisons of his day,—yet, closely linked in congenial feeling and labours in the cause of suffering humanity, the memory of these inestimable men must be equally cherished, and is alike entitled to the gratitude of succeeding generations.

to a greater extent than ever (though certainly not to a greater extent than ought to be, when the object of the legislature is *fairly* understood) the use of HARD LABOUR; and human invention has been at work for contriving means by which the employment of HARD LABOUR, as authorised by the Statute, might be rendered most effectual and galling; so that Prisons may no longer lie under the stigma of being abodes of ease and comfort, resought for, without reluctance, after an unwilling banishment from their walls, but of such fatigue and torment, as to be fled from, on the moment of escape, with the utmost consternation and horror.

The TREAD-WHEEL stands foremost among expedients of this character; and, in consequence of this reaction of feeling, has been hailed by the popular voice and eagerly laid hold of by the acting Magistrates of various parts of the kingdom: while even the Committee of the Prison Discipline Society, as though anxious to throw off the charge of dealing out their milk of human kindness too profusely,\* and, unacquainted, from its recent existence, with the baneful effects of this novel mode of chastisement, have arranged themselves on the side of popular opinion in their eulogies of the result of the TREAD-WHEEL.†

\* "The Committee beg to state that the objects and views of its Members have been strangely mistaken and misrepresented. The efficacy of Prison discipline in reforming the offender has not only been disputed but the measures recommended for this purpose have been objected to as having a tendency to render Prisons habitations of comfort, and confinement an object rather of desire than of dread."

IIIrd Report of the Committee of P. D. p. 14.

† They admit however its liability to abuse, and apparently on this account, do not advocate it exclusively, "As the benefit,"

The writer of these pages has been of a somewhat different sentiment. To the principle of **HARD LABOUR**, as fairly intended by the Statute, so far from being an enemy he is a most zealous friend: but, during a considerable portion of a long protracted life, having been much occupied in the duties of the provincial magistracy in the counties of his usual residence; and having for many years, as a *visiting Justice*, given an especial attention to the most considerable **House of Correction** in the county of *Somerset*, he has viewed, with more than an ordinary interest, the extreme to which this reaction in the public feeling has led; and, particularly, the popularity it has given to the very *expensive\** and enormous machinery of the **TREAD-WHEEL**: which he has found from his own repeated investigations, and those of many enlightened and intelligent friends who have engaged in the same inquiry, to be highly mischievous in its principle and baneful in its effects to those who are so **INDISCRIMINATELY** sentenced to it; and, consequently, an instrument which neither the Government nor the people of this Country can countenance, when its evils are fully laid before them.

say they, "of the Tread-mills become gradually known, the Committee feel persuaded that this, or **SOME SIMILAR DESCRIPTION OF HARD LABOUR** will be regarded as indispensable in **Houses of Correction.**"

Fourth Report, p. 34.

\* The expence incurred at *Cold Bath Fields*, including such alterations of the Prison for the reception of the machinery as was, by Mr. Cubitt, deemed advisable, has exceeded £12,000. There is, as yet, no *Mill-work* of any sort attached to it; and if *Mills*, and the necessary buildings be added, it is estimated that the additional expenditure will scarcely fall short of a moiety of the sum already expended. The *tread* machinery will be more particularly adverted to in the following pages.

It was under this impression he felt himself called upon to address the following communications to His Majesty's principal Secretary of State for the Home Department. That Minister appears to have felt the importance of the object by the *Motion* he afterwards made in Parliament; nor does it seem, from the tenor of that motion, that he originally intended to abridge the limits of inquiry; but the subsequent official *Circular*, addressed to the *visiting Magistrates*, is so *pointedly* and *locally* restricted, as necessarily to have produced a result wholly inadequate to the purpose of such information as seems requisite to assist the judgment in determining the merits of a question that, in fact, ramifies into many important branches, though limited, in the first step, to the introduction of the TREAD-WHEEL. Any observation, however, upon the Official Communications contained in the return by order of Parliament and printed *on the 10th of March*, will be reserved, till some reference be made to those anterior communications which have been excluded by the restrictions of Government, *of the 18th of January*. In the actual circumstances the writer has thought it incumbent on him to submit the evidence, *entire*, to the public, as it will be found to develope and establish, from incontrovertible, and in most cases, concurrent testimony, a variety of weighty facts, which must necessarily be of interesting reference to the members of the legislature, many of whom, probably, at the present hour, are occupied with the provisions of the revived GAOL BILL in its progress through Parliament.

Although the structure, as well as the application of the TREAD-WHEEL, was early noticed in the original correspondence, it may be allowable, in the present cir-

cumstances, to advert somewhat to its history. In a publication including the rules for the government of Gaols drawn up and published by *the Society for the improvement of Prison Discipline*, in 1821, the suffrages of the public are very pointedly solicited in favour of the TREAD-MILL, which is described as—“ a stepping Mill “ of a superior description, and which the Committee “ CANNOT TOO EARNESTLY RECOMMEND FOR THE EM-“ PLOYMENT OF PRISONERS, having lately been con-“ structed on very ingenious principles by Mr. Cubitt, “ Civil Engineer, of Ipswich.” In the Appendix, a description is given of a Corn and Flour Mill, and also of a Pump Mill, adapted for the employment of Prisoners, and stated to be invented by Mr. William Cubitt, and extracted from a report addressed by him to the Committee of the Society.

Mr. Cubitt speaking of the object of his plan, states it as the adoption—“ of a kind of hard labour, to which “ every one would have a natural dislike, and yet such “ as every one could perform without previous instruc-“ tion.”—His description is also illustrated by engravings of the machinery.

In another publication, in 1819, a description of the Gaol at Bury, drawn up by Mr. Orridge, the Governor, under the immediate sanction of a highly meritorious member of the Prison Discipline Society (T. F. Buxton, Esq. M. P.) it is announced that the Magistrates of *Suffolk* had applied to Mr. Cubitt for an additional Mill of his construction, and an extract of a report, from Mr. Cubitt, is published, in which he represents “ the GREAT “ PECULIARITY OF HIS INVENTION to be that of placing “ the men to ACT ON THE OUTSIDE, INSTEAD OF WALK-

"**ING WITHIN THE WHEEL**, by which means their weight  
 " will have the greatest effect, and no one employed can,  
 " for an instant, cease from the regular step, which  
 " resembles **WALKING UP STAIRS, WITHOUT DROPPING**  
 " **DOWN TO THE FLOOR BELOW HIM**; nor can he advance  
 " too high up the wheel on account of the hand rail  
 " placed over, breast-high, for the purpose of holding on  
 " and to rest the arms and regulate the steps."—A  
 " Description of the **TREAD MILL** for the employment of  
 " Prisoners, accompanied with plates," has also recently  
 appeared, from the Committee of the Society for the  
 improvement of Prison Discipline, with many interesting  
 tables and calculations.

Whatever zeal and energy may have been discovered on the part of Mr. Cubitt in procuring the support of the provincial Magistracy, to an extent without example, throughout the kingdom, as is evident by the rapid adoption of his machinery, his claim to the *invention* of the **TREAD-WHEEL** (whatever be its merits) is not so distinctly admissible.

In a treatise on Mechanics by Dr. *Olinthus Gregory*, (Professor of Mechanics in the Royal Military Academy of Woolwich) will be found a description, accompanied with plates, of a **TREAD-WHEEL** *in every respect analogous to that introduced by Mr. Cubitt*, for which Dr. *Gregory* states that Mr. *David Hardie*, of the East India Company's Bengal Warehouse, obtained a Patent. But Mr. *Hardie* himself, in point of fact, *had no pretension to the discovery* of the principle, it being no other than that of a **WHEEL** long used by the *Chinese* in the irrigation of their plantations.

Mr. *Hardie's* machinery was applied to a *Cranc*

instead of a *Mill*, and is described by Dr. *Gregory*,—“as “a WHEEL, on the OUTSIDE OF WHICH ARE PLACED “TWENTY FOUR STEPS FOR THE MEN TO TREAD UPON, “at a situation where the steps are found, at a height “equal to that of the axis, or where the plane of the “steps became horizontal.” Five Cranes of this description have, according to Dr. *Gregory*, been at work at the *East India Warehouses*, and Mr. *Hardie's* Patent was obtained in 1803. Dr. *Gregory* speaks in high terms of the machinery, representing it “to be so simple and “efficient as to render it no easy task to point out any “faults which it has not avoided, nor any defects which “it has not supplied. It is, (he observes) a WALKING CRANE, but the men WALK ON THE OUTSIDE OF THE WHEEL INSTEAD OF THE INSIDE OF THE RIM, and “during the whole of their labour they are EXPOSED TO “NO KIND OF DANGER.” Of this security from danger, in Mr. *Hardie's* *Tread-Wheel*, the facts do not seem to have borne out the assertion, as will presently be seen, but the humane observation of Dr. *Gregory*, in speaking of other machinery, may well live in the memory when the *Tread-Wheel* itself is no more.—“Although nothing but necessity (the Doctor observes) can justify the hazard-“ing the lives of men, yet the *Walking Wheel* is attended “with imminent danger, and being a very defective en-“gine, employed either without necessity or expediency, “those persons who use them are responsible to humanity “for the shocking disasters they frequently occasion.”\*

\* Vol. ii. p. 167.—It is also well known that this description of *Wheel* had been adopted in other parts of the kingdom, attached to the corn-threshing machinery, but abandoned from the *peril of the labour*.

On reference to the *plates* representing the *Tread-Wheels*, annexed to Dr. *Gregory's* work, and those supplied by Mr. *Cubitt*, it would be difficult to trace any material difference of contrivance beyond the mere *application* of that of Mr. *Hardie* to the purpose of a Crane, while that of Mr. *Cubitt* is annexed to a Corn or Water Mill, or, as in the *Prison in Cold-Bath Fields*, the Machinery is unaccompanied with any mill or practical object otherwise than as an instrument of *foot labour* or *punishment*. In the description, just published by the Committee of the Society for the improvement of Prison Discipline, &c. it is observed that—"at Cold Bath Fields "Prison a regulating fly is attached to the *Tread-Wheel* "Machinery, by which the power derived from the "action of about 240 Prisoners is expended on the air."\*

Many of these facts were recently noticed, in a course of lectures at the *Royal Institution*, by Mr. *Millington*, Professor of *Mechanics* in that establishment, and who, as *Surveyor of the County of Bedford*, has erected the *TREAD-MILL*, now in action, in the principal House of Correction in that County.

But, desirous of ascertaining the present state of the *TREAD-WHEEL* machinery in the *East-India Warehouses*, the writer of these pages availed himself of the obliging intervention of a friend who had recently presided in the Chair of the East India Company, and who procured a minute *report*, drawn up by the principal officers of the *Warehouse department* upon all the points of enquiry. The chief officer of the *Bengal Warehouse* states, that—"of the five cranes, one was erected in that "warehouse, and is still in use—the part of the ware-

\* Page 6.

“ house which it serves not being provided with any “ other crane”—but a note is subjoined announcing, ‘ that *Edward Doe*, had his LEG BROKEN by working at “ this crane, and that *Joseph Eames* also received a “ SEVERE INJURY IN THE LEG FROM WORKING AT THE “ SAME CRANE which incapacitated him from labour for “ some weeks ; and were relieved by the East India “ Company ;” He farther states “ that another of the “ cranes was erected in the warehouse of the *Assistant private-trade warehouse-keeper* ;” but a note is here also annexed by the officer of that department, which tells us “ that the men have OFTEN RECEIVED BRUISES “ WHEN WORKING the wheel, and that it was considered “ MORE DANGEROUS to work than at the capstan : that “ *Dennis Leary* received a severe hurt while working at “ one of them, and was pensioned by the East India “ Company ; and finally, that the cranes were taken down “ last summer.”

Mr. Dickinson, the principal officer of the *Bengal Warehouse*, obligingly called upon the writer of these pages, and verified, in person, the facts which are thus stated.

If, in the selection of the quality or implements of *Prison Labour*, the personal security of the individual, subjected to the discipline, be held to constitute a reasonable consideration, and to attach a just responsibility upon those who hold that selection, it should seem that antecedently to the period when it was adopted by Mr. Cubitt, but little could be collected from the test of experience to warrant the introduction of the TREAD WHEEL.

With this conviction on the part of the writer, the result of the most deliberate and repeated personal exa-

nmination and inquiry, in concurrence with professional characters whose opinions he held himself bound to respect, the original communication was first made to His Majesty's Principal Secretary of State for the Home Department, and is now submitted to the public—From that investigation the following facts appear to be incontrovertibly established.

I. That from the enormous height, extent, and complication of the machinery of the TREAD-WHEEL, there appears to be an insuperable difficulty in constructing it of iron, whether cast or malleable, sufficiently pure and powerful, to support the incumbent load or strain that is often imposed upon its shafts, with their *subterraneous* ramifications to a perilous extent, without breaking: that such accidents have already taken place in different Prisons, and not less than *four times*, in little more than *three months*, in the House of Correction in *Cold Bath Fields*, with precipitation, from a considerable height, of all the Prisoners employed at the time, who were thrown *on their backs*, with considerable injury to many of them.\*

II. That from the peculiar motion of the limbs for which alone this machine was intended, which is that of treading *on tiptoe up an endless hill*, with the body bent forward† and the hands rigidly and unremittingly grasping a rail for support, an exertion is produced, so exhausting to the animal frame, that scarcely any Committee of Visiting Magistrates have ventured to enforce

\* Other similar fractures have since taken place in the same prison, one of them since part of these sheets have been in the press.

† Such was their position at the Cold Bath Fields Prison, when visited by the writer in May, 1822.

its use for more than a *quarter of an hour* at a time ;\* while at the House of Correction at Edinburgh, *seven minutes and a half*, or just half this period, is the utmost that is risked.

III. That in consequence hereof a most distressing thirst, debilitating perspiration, and actual loss of flesh, are often produced, and especially in warm weather, during every successive round of working, short as the period is ; as has been frequently experienced in the Prison in *Cold Bath Fields*, and is admitted to have occurred at Edinburgh † and various other places ; and that in order to support such exhaustion, a fuller and richer diet has been humanely allowed in several Prisons, particularly at Edinburgh,‡ and North Allerton.§

IV. That not only severe exhaustion but strains upon the organs and muscles immediately called into exercise, in many cases highly injurious to health, have actually taken place on various occasions, and in the opinion of a large body of physicians and surgeons of the highest rank and respectability who have minutely examined into the subject, are necessarily threatened at all times.

V. That in consequence of such straining and over

\* At Gloucester alone, the prisoners appear to be worked for a longer term than this.

+ “ It has been thought reasonable and proper to grant an extra allowance of Bread and Beer to Prisoners so employed.” Account of *Edinburgh Bridewell by the Prison Discipline Committee*, Report IV. P. 71.

‡ “ The Dieting of this Prison probably surpasses any other in the kingdom in point of variety and quality. The cost for bread alone is sufficient to excite surprise.” Idem.

§ Report IV. P. 71,—and compare with the official Returns from Devon, as also the Letter from the Rev. Mr. Dent, to Sir J. C. Hippisley.

exertion many of the Female Prisoners have been suddenly obliged to descend from the Tread Mill in the Prison in Cold Bath Fields in the midst of their task work,\* accompanied with circumstances of the most repulsive indelicacy, insomuch that the Female Prisoners confined within these walls,† as well as in most other Prisons, have been of late, altogether or in a great degree, exempted from this kind of labour.

VI. That the concurrent testimony of numerous Medical Practitioners, of high character and extensive experience, has proved that habitual labour of *a like description*, as that of Mariners, and even of a lighter kind, as the ladder-treading in thatching and among Masons' Labourers, Miners, &c. has a gradual *tendency* to produce ruptures and varicose veins, or nodulous tumours on the legs; and, in numerous instances, has actually produced them. Whence it has been reasonably apprehended by other practitioners of great talents and attain-

\* See also the Official returns from Dorsetshire.

† The preceding paragraph is left in the state in which it was written before a recent visit to the Prison in *Cold Bath Fields*, and it is, possibly, with no small regret, the public will hear, that since the circulation of the subjoined address to the Secretary of State (which was also transmitted to the Clerks of the Peace in the several English Counties,) and the publication of the Official Returns to Government, the FEMALE PRISONERS confined in this House of Correction, have been ordered to resume their station on the TREAD-WHEEL, with the *only change* in the superintending them—of *female* for *male* keepers during the time of work. This *very change* proves sufficiently an expectation of the ill effects already pointed out, in the minds even of those by whom this return to the anterior discipline has been directed, and is, perhaps, *one of the strongest arguments that can be adduced of its impropriety.*

ments, who have particularly attended to this machine and its effects, that a stated and longer employment upon it than has hitherto been experimented in any Prison, in consequence of its being of novel introduction, will necessarily give a still greater tendency to the same injuries, and, in the end, more certainly and more extensively induce them among those who are sentenced to its morbid discipline.

VII. That on this account, Prisoners, labouring under the above affections, and especially under ruptures or consumptions, or a tendency to such complaints, are, in the *Cold Bath Fields Prison*, or were till of late, as also in other Prisons, altogether exempted from the punishment of the TREAD-WHEEL.

VIII. That for these and similar reasons, the unhappy culprits whose fate it is to be committed to Prisons where this trying discipline is in use, to adopt the impressive language of the Prison Discipline Committee, “ have a “ HORROR of the MILL, and would sooner undergo, as “ they all declare, ANY FATIGUE OR SUFFER ANY DEPRI-“ VATION, than return to the House of Correction when “ once released.”\*

IX. That in consequence of the above mischiefs found practically and essentially to appertain to the TREAD-WHEEL, its employment, notwithstanding its enormous expence in erecting, is of very limited extent, and cannot or ought not to be exercised over more than one half of the delinquents to whom it was originally appropriated :

\* Committee Report, III, 25.

female Prisoners,\* as observed above, being already considered as unfit subjects of its discipline, as are also those who are labouring under consumptions, ruptures, and various other weaknesses, or a tendency to such weaknesses.

X. That, while it is regarded as a leading principle of justice in all countries, to proportion the KIND and DEGREE of punishment to the KIND and DEGREE of criminality, the discipline of the TREAD-WHEEL offers, not merely ONE KIND alone, but ONE DEGREE alone of infliction upon Prisoners of every class:† so that the beggar, the poacher, the shoplifter, and the house-breaker, are, under its dominion, all and equally sentenced, so long as they continue in confinement, to THE SAME KIND and THE SAME UNDISTINGUISHED DEGREE of severe and perilous suffering; though nothing can be more manifest than their respective *gradations* of delinquency.

XI. That, it is hence absolutely expedient for the purposes of the first principles of justice, as well as for those of carrying into practical effect, the salutary ap-

\* Vide preceding note, p. 13.

† The following is an highly estimable remark, and well worthy of the quarter from which it issues:

"It is the conviction of the Committee that the security and welfare of society demand the uniform punishment of crime; and that as nothing less than penal inflictions will ensure public protection, punishment becomes a sacred duty; but the MEASURE of the punishment must be REGULATED BY THE CHARACTER OF THE OFFENCE, THE FEELINGS OF HUMANITY, AND THE SPIRIT OF RELIGION."—Fourth Report of the Committee of the Prison Discipline Society, p. 14.

plication of HARD PRISON LABOUR, in the full spirit, as well as letter of the Statute, that means of discipline of a very different description from that of the TREAD-WHEEL should be resorted to.

XII. That the discipline of the HAND CRANK MILL, or machinery, already employed in the National Penitentiary on the banks of the Thames, as well as in numerous other prisons, when it has received those improvements of which it is so obviously susceptible,\* and which are now in actual preparation, with all the facilities for enforcing and graduating the infliction of HARD MANUAL LABOUR, appears to offer a considerable approach to this desirable object ; affords to the workers the natural position of standing firm upon the feet, and on firm ground ; calls into full exertion the muscles of the hands, arms, and chest ; divides the exercise equally among those organs that are intended by nature for muscular motion, instead of limiting it to those that are either never designed, or not ordinarily designed for such purpose ; increases the general health and strength instead of counteracting them ; and hereby prepares every prisoner, so worked, for applying himself, with greater facility, to a variety of handicraft and other trades after his discharge from confinement than he possessed before his commitment to prison ; and renders, in fact, the habitual use of HARD MANUAL LABOUR a great and permanent good, instead of what may possibly be a serious and lasting evil.

These weighty positions are all established as direct facts in the course of the ensuing Correspondence, which,

\* None of these are, in their present state, to be commended, for want of the improvements, here alluded to ; those at the Penitentiary are indeed, peculiarly defective.

as already observed, the writer of these pages has felt it to be his duty, as a magistrate and a man, to lay before the Secretary of State for the Home Department and other Cabinet Ministers, as well as to transmit copies of it, before the commencement of the last *Lent Assizes*, to the Judges of Circuit, and likewise to the Clerks of the Peace of the several Counties of England for the information of the provincial Magistracy.

How far this Correspondence bears upon the question of the *legality* of such a *mean of discipline* as the TREAD-WHEEL offers, is by no means the immediate object of this investigation. We know that even in the earliest times of our *legal* history, the Statute “**JUDICIUM PILLORIE**” was positive in guarding against unwarrantable and even *casual* inflictions, directing that the execution of the law might be done upon offenders “without bodily pain of man or woman,” in all cases where the *prescribed* penalty itself did not extend to a defined corporal infliction; and subsequent statutes were soon after enacted with the same provident consideration.\* That, in the present instance, the infliction presses heavily upon the feelings of humanity is but too obvious. But this is not the whole; for as the system of the Tread-Wheel is altogether a system of **UNMITIGATED TERROR**, and is *meant to be so*; a system that looks no farther than to an actual and present infliction upon the body, even at the hazard of the culprit’s being able to provide for himself hereafter, for which emergency it makes no provision; and may, by the injuries

\* Vide Statute, “**JUDICIUM PILLORIE**,” 51, K. Hen. III. 12, A.D. 1266. Also Stat. of “*uncertain times*,” which, in the Books follow the Statutes of K. Ed. II. directing *special attention to the strength of the Pillory*.

to which it exposes him, in point of fact, enfeeble or incapacitate him when at liberty—it produces not merely a striking anomaly, but is directly repugnant to the liberal and still popular plan (so feelingly adverted to in the subjoined Correspondence), which has been so successfully devised and acted upon for the amelioration of the female prisoners in NEWGATE; who, instead of being under a system of PHYSICAL TERROR, may be considered rather as under one of MORAL ALLUREMENT; where the bitter is intermixed with the sweet, and the rod of chastisement is most wisely and benevolently made the staff of activity and industry, and a guide to a course of subsequent honesty and virtue;—the means of providing for themselves when out of prison being gratuitously put into the delinquents' hands by the very discipline of the prison itself.

Under such a plan how admirably do the precepts and doctrines, and the whole scope of religion enter in! How harmoniously does the Minister of religion appear in his own character as the expositor of all the high moral duties inculcated by the Divine law, and what may not be rationally expected as the *possible* results, at least, of such efforts interwoven with, and softening the *labour of juridical correction*! On the contrary, of what avail can be the office or the duties of a Prison Chaplain (as has been impressively observed by a correspondent) by the side of the TREAD-WHEEL, or even under the terror of its return during the periods of intermission! Is it possible that the two systems of benevolence and unmitigated severity can ever be reconciled,—a feeling of pity for the eternal welfare of the offender, without any pity whatever for his temporal interest? Can the doctrines and practical

duties of the Christian religion in any way be inculcated with any hope of success under the latter state of discipline except by a miracle?

How necessary then is it, on this ground, that some punishment less distressful, less revolting even to those who are not intimidated by labour of any other description—less pregnant with “HORROR” than that of the TREAD-WHEEL (to return to the language of the Prison Discipline Committee,) should be employed in its stead:—something more consonant to the spirit of christianity and the practice of the present day, as successfully attempted among the female Convicts in Newgate. And how obvious must it be to every one that if this modification be not abandoned for something else, the office of a Prison Chaplain, and the duties such as a Minister has to perform, (of the utmost promise as well as moment under other circumstances), may and ought to be abandoned as a useless expense and an idle mockery. It is ingenuously admitted by the intelligent and indefatigable Committee of the same benevolent Society from whom we have just quoted, and who, if they have hitherto countenanced the Tread-Wheel, can only have done so because its baneful effects have not hitherto been sufficiently pointed out, that “the prevention of crime will never be effected by the influence “of FEAR ALONE: for the truth of this sentiment the “Committee may confidently appeal to the page of “history. In no christian or civilized country has UN-“MIXT SEVERITY obtained this object. The criminal “thus treated, be his offence what it may, experiences a “feeling of injury: resentment is excited in his bosom: “the energies of his mind are exerted to resist coercion.

“ He hardens and nerves himself to prove to those who  
 “ are likely to be influenced by his example the firmness  
 “ of his character, and the impotency of all efforts to  
 “ reclaim him ; his detestation of those who have autho-  
 “ rity over him, and his contempt for their punishments.  
 “ Others emulate his fortitude, but shun not his crimes.  
 “ —If the true end of punishment be sought for, other  
 “ motives and feelings besides those which are produced  
 “ by TERROR must be brought into action.\*”

The two most successful voyages of Convicts, which have hitherto been completed to New South Wales, are those lately performed by the ships Neptune and Morley, under the moral as well as the medical superintendence of Mr. Reid, surgeon to those respective vessels ; appointed to the latter, at least, on the express request of the Ladies' Committee acting at Newgate. The cargo of the former consisted of male convicts alone, and of the latter of female. In both cases, Mr. Reid had great difficulties to encounter ; but, in both cases also, the great success which accompanied his humane efforts is to be mainly ascribed to his intermixing kindness with instruction, and his giving the prisoners a full proof that, while solicitous for their future and eternal interest, he was *by no means inattentive to their present and temporal welfare and comfort.* And if, as he justly observes, “ religious truths are best conveyed to such minds in language of mild and temperate remonstrance, and that harsh censure and severe reproof are of too repulsive a nature, and throw a gloom over religious influence”—what can possibly be expected from “ that severe unmitigable

\* Fourth Report, &c. p. 16.

labour which ought alone to be introduced into prisons”\* according to the modern doctrine npon the subject—that labour which “should exhaust the strength, and subdue the spirit of the criminal, and send him to *repose* worn down in body and HOPELESS IN MIND.†

“Convicts,” says Mr. Reid, in giving the result of his extensive and valuable experience, after having actually *lived among* them as well as superintended them, “are susceptible of gratitude which, when sincere, is not less binding than chains: and I think the subject thus attached is more likely, at some future period, to be useful to society, than he whose mind, *unused to the language of consolation*, sinks into pitiable imbecility or, too often is driven *by despair* to horrible deeds.”‡ He found it expedient to tell the MALE convicts, and to act upon what he said, that “to meliorate their condition must be the first wish and the most gratifying work of humanity.”§

The MALES seem “uniformly to have been reclaimed from their long established habits of idleness, immorality, and wickedness;”|| notwithstanding that many of them were old offenders, with very bad characters; twelve of them were suffering from a second sentence, and six had been transported before.¶

The FEMALES were landed partly at Van Diemen’s Land, and partly at Port Jackson with uniformly good characters, with the exception of three or four: notwithstanding that, at starting, sixty-one of these were marked

\* Fourth Report of Prison Discipline Committee, p. 34.

† Ibid. p. 34.

‡ Two voyages to New South Wales, &c. 8vo. 1822. p. 86.

§ Ibid. p. 103. || Ibid. p. 80. ¶ Ibid. p. 33.

down in the list as decidedly bad; nine were old offenders; five had kept houses of ill fame; and five were confirmed thieves.\*

In adverting to these passages from the interesting report of Mr. Reid, it is highly gratifying to observe the successful selection of the Lady's Committee of a professional agent, so eminently qualified to promote the humane purposes of their contemplation.

But to return to the more immediate object of these pages. While the system of *Prison Labour* to be effected by the instrumentality of the TREAD-WHEEL is open to such numerous and weighty objections, it will be found that an effort is here made to excite the attention of Government, and of the executive provincial magistracy of the kingdom to a comparison between the labour of the TREAD-WHEEL and that of the HAND CRANK MACHINERY:— which last consideration constitutes no part of the exposition given to the Public in the official document under the authority of Government. And hence the answers which have been returned by the several visiting magistrates to the official requisition, contain nothing to turn aside the current of the original investigation. They are such indeed as might have been anticipated by those who had made but a small progress in the original enquiry. The question indeed concerning the WORKING OF FEMALES may be considered as virtually abandoned, from the mischievous effects produced:† and, this danger once admitted, will it be said that the danger of various other diseases even to *men*, as was in effect early pointed out by the professional authorities whom the writer of these pages con-

\* Two Voyages to New South Wales, &c. p. 101.

† See note, p. 13.

sidered it his duty to consult, must not follow, unless it be contended that the strain upon the loins and lower limbs be confined to the *weaker sex alone*. — But, as this is a question chiefly connected with the medical part of the investigation it has been thought advisable to submit the consideration of the Official Documents and Communications to the intelligent professional individual who was so urgently requested, at an early period, to accompany the writer in his visits to the Prisons with reference to this immediate subject. Of his qualifications the author is not permitted to speak on the present occasion, in terms commensurate with his own conviction, but this is the less necessary, as Dr. Good is so well known to the profession from his medical writings, and to the public from his classical and literary labours—both which, it falls to the writer's lot to know, are as highly appreciated abroad as at home.

*Copy of a Letter from John Mason Good, M.D. F.R.S.  
to Sir J. C. Hippisley, Bart. June 7, 1823.*

“ I am sorry to be obliged to return to the TREAD-MILL; for I have already been drawn much further into the subject than I intended when, at your request, I first submitted to you my opinion professionally; but which I could not refuse to do after a friendship resulting from that unreserved and cordial connexion which ought ever to subsist between a constituent and his representative in Parliament, and now of more than thirty years duration.\* But as the Official Circular from the office of the Secretary of State for the Home Department, addressed to the Visiting Magistrates of the several Gaols

\* It has been the good fortune of the writer to have long lived in confidential habits with his professional friend under the circumstances above stated.

and Houses of Correction where Tread-Wheels have been established, has limited its inquiry to the particular point which it fell to my lot to notice, while all the other parts of the comprehensive and important question you have brought forward seem to be left untouched upon, I feel compelled to make a few remarks upon the Communications which have been returned to the official letter.

As a whole I cannot but think these Communications are written with great fairness and candour, a due allowance being made for the pre-occupation of the public feeling upon the subject, and for the very heavy expense which has already been incurred in carrying this bulky machinery into execution.

As these Communications are, in several instances, at variance with each other, they must necessarily, in some cases, be at variance with the views which I have ventured to offer: but they are not more opposed to these views than to many of the sentiments of the Prison Discipline Society, or to the original intention of the Tread-Wheel as an instrument of hard labour, and the only object for which it is continued. For if it were true generally, as asserted by the Governor of the Bedford House of Correction, that this labour is *not severe*; or, in the language of a respectable surgeon to another House of Correction, that “after a few days work on the Tread-Mill, the employment ceases to be a punishment;” or as stated by the Governor of the Prison at Exeter, that the treads of the wheel had actually become a sort of *platform for knitting upon* while the wheel was still going on its round of action\*—all idea of its being a more trying

\* Vide also the Note reciting the dexterity of a *seaman* convict, who had discovered the means of converting the *Tread-Wheel in action* into a convenient local for the manufacture of

and efficacious mode of discipline than any that has hitherto been invented, a punishment submitted to with inexpressible TERROR, and looked back upon, after emancipation, with a panic that bids fair to deter from the re-commision of crime, must be for ever abandoned ; and the Tread-Wheel lose the entire claim with which it has hitherto challenged the support and approbation of the public.

But these deviations from the common opinion, or even the *professional* opinion which, in conjunction with many other medical characters, most of them of the highest distinction and learning, I have already laid before you, are but few : and the general result of the Official Evidence now offered, when minutely compared and examined, will be found not merely to countenance but completely to confirm the sentiments of which you have consented to become the medium.

When about a twelvemonth ago you first asked me to accompany you in examining the machine in the House of Correction in Cold Bath Fields, and in comparing it with the Hand-Crank-Mill, I confess the subject was new to me ; and hence, if I went without information, I went without prejudice. Yet, upon investigating its history, I soon ascertained that it was itself of so recent an origin in its application at least, that if I had travelled over the ten or eleven counties (for there were not more) in which the Tread-Wheel was *at that time* employed, and had examined every prison separately, its operation would

*Straw Hats.* These facts are strange anomalies with reference to Mr. Cubitt's descriptions, though it will be contended, probably, that these instances are merely to be taken as *exceptions* to the terror imposed by the infliction of the *Tread-Wheel*.

have been too narrow and of too limited a duration to have enabled me to speak of its effects with much decision from the evidence of practice; and have driven me to reasoning upon them from the nature of its powers and their application to the human frame.

I well remember many of the striking remarks you made at the time upon the general construction of the machine, and particularly upon the vast extent of its shafts and the enormous weight they had to support; together with the fear you expressed that neither cast nor malleable iron would ever be found to support it. The workers themselves also minutely occupied your attention, and though your inquiries were cautiously worded, their replies proved, very evidently, the distress they underwent during the labour; and which, as I understood, was *at the same time* unequivocally admitted by Mr. Adkins the governor, who accompanied us, as well as by the other officers of the prison, both medical and ministerial, there being no difference of opinion between them at that period. Putting the opinions, however, as well as the practice of others, on my first inspection, out of the question, I resolved, first of all, to confine my attention to the peculiar powers, and singular action of the Tread-Wheel, and its necessary effects upon the human frame.

To this point I limited myself on my first inspection of its structure. From the tortuous attitude and uneasy motion manifestly displayed in mounting the endless hill of this mighty cylinder, upon the toes alone, with the hands fixed rigidly on the horizontal bar, and the body bent forward to lay hold of it, I could not but conclude not only that the prisoner is hereby deprived of all the

healthful advantage of athletic exercise, but must be fatigued from the outset, and perpetually *in danger* (and with this *limitation* I expressed myself,) of cramp, breaking the Achilles tendon, and forming aneurismal and varicose swellings in the legs ; and that, if females were to be worked at the wheel, the same common cause of irksome and distressing exertion, operating on the loins and many of the abdominal muscles, must of necessity, in various instances, accelerate the period of menstruation ; and, even where it does not force it forward before its proper time, render it excessive, and lay a foundation for many of the most serious chronic maladies with which the female structure can be afflicted. And on all these accounts I ventured to recommend the Hand-Crank-Mill in preference to the Tread-Mill, as affording a far more natural attitude, and hence, a far more healthy exercise ; in which the greater number, if not the whole of these predicted evils might be avoided ; muscles of the utmost importance to public industry be called into action, and strengthened against future labour ; and the prisoner be hereby far better, instead of invariably far less, prepared for a variety of handicraft trades, than before he was sentenced to confinement.

The opinion therefore was not given *absolutely* and *disjunctively*, but *relatively* and *comparatively* ; and not in regard to the *quantity* but the *quality* of the labour enjoined ; a remark which it is peculiarly necessary to make, because, in the course of the discussion which has since taken place, the Hand-Crank-Machinery has too often been lost sight of in pursuit of the Tread-Wheel ; and it has sometimes been more than hinted that the effect of these strictures would be to screen delinquents from

HARD LABOUR GENERALLY, than which nothing can be more incorrect, and to take the wholesome burden of punishment away from all their muscles, instead of transferring it to those which are best fitted to bear it by nature.

Having taken this view of the subject proleptically, I next endeavoured to see how far the apprehensions thus formed in private of the effects of the Tread-Wheel might be justified by the opinion of other professional characters; and to what extent they had hitherto been realized in the House of Correction from which I had deduced them, affording the widest field for observation of all the prisons throughout the kingdom in which the Tread-Wheel has hitherto become an inmate.

From each of these quarters I found myself completely upheld, as will sufficiently appear from the extracts you have given in the subjoined pages; whilst various other threatened evils were hereby added to the list, and correctly so, especially those of ruptures, and injury to the respiratory organs. In the Cold Bath Fields Prison itself I found, upon close inquiry, that the prisoners frequently complained of stiffness and numbness in their hands, of pains in their loins and in their legs, and that they were thrown into a profuse perspiration, and so completely exhausted in the course of a single round, or QUARTER OF AN HOUR's task-work, as to induce them to drink very largely of cold water as soon as the fifteen minutes were completed, although it is calculated that this up-hill exercise does not exceed the average of TWO MILES IN SIX HOURS,\* and consequently does not amount to half

\* It may be interesting to compare some of the various statements in the Reports of the Prison Discipline Society, particularly p. 14, of their "Description of the Tread-Mill, &c." 8vo. 1823.

a quarter of a mile in the course of the fifteen minutes to which the task-time extends ; evidently proving, that it is the *nature* of the labour, its *quality*, and not its *quantity*, that occasions such violent effects, and constitutes the terror with which the Tread-Wheel is contemplated. At this visit also it was not concealed from me, nor from my professional friend, Mr. Cole, who accompanied me, that in consequence of the nature of the exertion, prisoners labouring under consumption, rupture, or a tendency to rupture, are exempted from working, out of a prudent regard to the mischief which might follow under such circumstances. While in respect to the anticipated complaints of females, it was at length candidly acknowledged that those most likely to take place had already occurred in various instances, even *in the presence of the male keepers* ; insomuch that at *this very time the Tread-Wheel was abandoned as to the women*, though no other regular employment, if I recollect aright, was allotted to them in its stead.

I do not know that any of these maladies which, from the recent use of the Wheel, could not be of long standing, had produced any ill effects upon the *constitution* of the prisoners, or *permanently* undermined their health. And it is necessary to suppose this is what Mr. Webbe, the Surgeon of the House of Correction in Cold-Bath Fields refers to, in his Official Report, in answer to the Official Requisition, in which he states that “ during the “ eight months the Tread-Mill has been employed at the “ House of Correction, Cold Bath Fields, I have never “ in any one instance known any ill effects produced *in* “ *the frame* of either the men or women who have “ worked on the wheel ; ”\* for without this interpretation

\* P. 60.

his report would be at variance with the above facts, known not only to himself but to the whole prison; and the chief of which were not only admitted by him in the presence of Mr. Cole, but have been acknowledged still more lately in letters from Mr. Webbe to yourself. It would indeed, in my mind, have been better to have accompanied his summary Statement respecting the *constitutional* condition of the prisoners with a brief reference to their occasional, though fortunately hitherto only temporary, evils; but I have too high an opinion of Mr. Webbe's integrity, from an acquaintance of many years standing, to conceive for a moment that he had any intention to mislead; and indeed, the brevity and modesty with which the Report is drawn up, shows evidently that his mind was not decided upon the subject at the time. "I cannot tell," says he, adverting to the very few months the Tread-Mill had been employed in the prison, "whether any (*constitutional*) effects are likely to follow upon this kind of discipline."\* The whole, however, affords sufficient intimation, of which we have both had instances before, of the difficulty in which a Surgeon to a Tread-Wheel Prison is sometimes placed, in giving his opinion publicly upon this subject under the circumstances of the day, while his private views are not quite consentaneous with those by whom he is surrounded, and for whom he feels the highest respect.

To ascertain, however, whether any actual change has in any way been produced in the effects complained of since our visit of last year, I have once more accepted of your invitation, and at the time of writing this, have just returned from the House of Correction at Cold Bath

\* P. 60.

Fields, to which I had the honour of being accompanied both by yourself and Mr. Cole,\* who took a part in the examination we entered into, and to whom I appeal, as well as to yourself, for the accuracy of the following brief account of it. The Wheels were at work on our arrival in all the yards, still idly expending their power, and that of their workers, *in the air.*† The hour was half past eleven in the morning, the thermometer at 60° Fahrenheit, with a cool and gusty breeze, which many have complained of as being chilly, veering from north to south-west. We examined the subterranean machinery, which, with the ponderous fly above, was working at a fearfully rapid rate, notwithstanding the slow-paced motion of the principal shaft. The men were on duty on the Wheels in their respective yards, and the report is true that the shaft has again broken, forming a fifth instance of failure; and other workers been again thrown upon their backs on the raised platform, and must in some instances have fallen through to the stone pavement, some ten or twelve feet below, had not the present vigilant Governor, in anticipation of such an accident, prudently ordered the middle hatch-ways to be closed.‡ I inspected the men as they descended in rotation, from the Wheel, at the end of the quarter of an hour's task-

\* Surgeon to the Northern Dispensary.

† Vide note and description of Tread Mill, by the Committee of the Society for the Improvement of Prison Discipline, p. 6.

‡ The hatch-ways are now removed to the end of the *Galleries.* Among other smaller casualties a *woman* fell down the hatch-way, having previously fallen *in a fit*, from the head of the Wheel upon the floor.

work, and made room for fresh relays. Every one of them was perspiring, some in a dripping sweat. On asking them separately, and at a distance from each other, where was the chief stress of labour, they stated in succession, and without the least variation, that they suffered great pain in the calf of the leg, and in the ham; while most of them, though not all, complained of distress also in the instep. On examining the bottom of their shoes, it was manifest that the line of tread had not extended farther than from the extremity of the toes to about one-third of the bottom of the foot; for, in several instances the shoes were new, and between this line and the heel, altogether unsmeared: a fact, however, that was as obvious from the *position of the foot, while at work,* as from the appearance of the shoe at rest. Several of the workers seemed to aim at supporting their weight by bringing the heel into action, the feet being twisted outwards; and on inquiring why this was not oftener accomplished, the reply was, that though they could gain a little in this way, it was with so painful a stress of the knees, that they could only try at it occasionally. The palms of their hands, in consequence of holding tight to the rail, were in every instance hardened, in many horny, in some blistered, and discharging water. The keeper, who accompanied us, admitted the truth of all these statements, and added, that it was the ordinary result of the labour! and that use did not seem to render it less severe: for those who had been confined long appeared to suffer nearly, or altogether as much as those who were new to the work: thus confirming a remark I long since took the liberty of making to you, I mean that, when an organ is directed

to any kind of labour, for which it is not naturally intended, no perseverance will ever give it facility of action, or take off the original distress.

The *females* we found again at work upon the Wheel ; for, with a strange countermanding of indulgence, they were again ordered to brave all the mischievous consequences which had been proved to ensue, and apparently to undergo a new set of experiments : while, as though in full consciousness of what must follow, the Visiting Magistrates had endeavoured to prepare against some of the indecency heretofore complained of, by exchanging male for female keepers, and raising a linen screen a few feet above the platform, so as to hide the ancles. Here also the same effects of perspiration, the same complaints of pain in the instep, calf of the legs and hams, were repeated as in the male side ; to which the female keeper added a very horrible pain in the loins, that generally and very greatly distressed them ; and which, she candidly told us, was in most cases the fore-runner of that morbid discharge I have already adverted to ; and which still, according to her own account, continues in many cases to be forced forward prematurely, and in many cases also, to be carried to an alarming excess, and productive of considerable weakness. The perspiration, however, existing among the females, is often very oppressive : and one of them, not long since, fell down to the platform in a fainting fit ; the keeper herself seemed deeply to feel for them ; her language was, that they often had not a dry thread belonging to them ; and she added, you would be surprised, Sir, at seeing how often the finest of them, after having been a few weeks at work, *are worn*

*down and emaciated.* I inquired whether even on this account she did not feel it necessary to recommend, at times, a few days relaxation, that they might recover themselves ; and she admitted that she was not unfrequently compelled to do so. The palms of their hands here, as in the case of the males, were hardened, or horny, and in far more instances blistered, the leathery skin in some cases peeling off, and exposing a sore surface beneath. For all kinds of needle-work, and their delicate descriptions of manual labour, they seem to be completely unsuited, and the keeper allowed that they were almost always rendered useless for such purposes.

On a survey of the whole, it was an instantaneous remark of Mr. Cole, that the statement *prescribed* in your first communication to Mr. Secretary Peel, instead of being too highly coloured, is considerably below the real complexion of the facts.

As the medical evils I had anticipated are thus fully supported by the short history of the Tread-Wheel in the most populous prison of the county, into which it has hitherto found its way, let us now proceed to examine how far they are established by the general tenor of the Official Reports received in reply to the Official Inquiry upon the subject under order of his Majesty's Secretary for the Home Department.

The first mischief of a serious kind which I apprehended would follow upon an extensive employment of the machinery before us, was a premature and excessive periodical influence upon females, in consequence of the strain or morbid exertion which it perpetually endangers by its peculiar effect on the muscles and other organs of the loins and abdominal region. What now is the

general bearing of the evidence upon this point? The Returns to the Secretary of State's Office are from the visiting Magistrates of twenty distinct counties, and comprise reports of twenty-four prisons. *In only a few of these, whether of recent or of earlier erection, are females worked at all;* not more than four returns allude to such an extension of the Tread-Wheel labour, and there is reason for believing that the employment of females has not hitherto spread further.\* These four prisons are, the Houses of Correction at Exeter, Dorchester, Cold Bath Fields, and Brixton. The report concerning the first, by William Tucker, Esq. one of the visiting Magistrates, and to whose zeal and activity the county seems to be under great obligation, while it informs us that he has "heard no complaint whatever or objection from the females that had been stationed on the Wheel, or from the Governor's wife, who superintends this department," adds, that he is satisfied no danger is ever likely to arise in the case of females "*when they are properly attended to;*" hereby intimating that some peculiar regulations are in force in the prison in respect to the females, without an attention to which there would be danger, even in his own opinion. It should be observed, however, that the women worked at this prison are too few, and the employment of the Tread-Wheel of too short a duration to afford any general estimate whatever; the latter having been in operation for little more than half a year at the date of the Return, and, to adopt the official language of the Governor of the prison, "the proportion of

\* Vide note p. 13, respecting the recent order of resumption of the *labour of the Tread-Wheel for females, at Cold Bath Fields House of Correction.*

" females being very small, not amounting to more than ten or twelve, and **GENERALLY** not exceeding " **SIX OR EIGHT.**"

The Return from the Dorchester House of Correction is signed with the distinguished name of W. M. Pitt, and declares candidly, and without reserve, that the female prisoners, notwithstanding they had at that time been employed at the Tread-Mill for only about five months, " have occasionally been subjected to *certain complaints* which THE SURGEON OF THE GAOL HAS ATTRIBUTED TO THE WORKING AT THE WHEEL ; and that in such cases the women so affected HAVE BEEN TAKEN FROM THE WORK till those complaints have subsided ;" which Report is confirmed by the certificate of the Surgeon himself, Mr. Davies, a practitioner of highly respectable talents and experience.

That the very same mischief to the persons of the female prisoners has on various occasions occurred in the House of Correction in Cold Bath Fields is now pretty well known to the world, accompanied with the very same necessity also of their being **TAKEN FROM THE WHEEL**. Mr. Webbe, indeed, the Surgeon, has not adverted to it in his Report upon this prison, but I have already endeavoured to account for his silence ; and it should be mentioned in praise of the prudence and humanity of the Visiting Magistrates of Middlesex, that female prisoners here are no longer consigned to this kind of labour.\*

The only other House of Correction at which women appear to be condemned to the Wheel, is that at Brixton : the Report from which, communicated by Thomas

\* Vide the notes, p. 13 and 31.

Harrison Esq. the Chairman of the Surrey Sessions, gives a wonderfully different account of the effects of the Tread Mill, not only from the statements immediately preceding, but from every other statement whatever. For, could the *recollections* and the *opinions* here advanced be realized, the Brixton Tread-Mill might be resorted to by those out of the prison, as well as by those within it, and especially by the inhabitants of the neighbouring metropolis, as a convenient substitute for mineral baths, and remote watering places ; since, instead of being in any way injurious to the female frame, it has, according to these accounts, in one instance at least, proved a specific to a rheumatism in a woman after the use of a month's discipline ; and is further extolled as an excellent preventive against weaknesses and varicose tumours in the vessels of the legs, "from the **KIND** and the **DEGREE** of exercise made use of." But as these remarks are so much at variance with the *general* complexion of the accompanying **REPORTS**, and the admitted severity of the discipline, it is not necessary to examine them in detail.

After this brief investigation of the effect of the Tread-Wheel in the four prisons in which *alone* it appears to be actually allotted to females, it will hardly be asked, why has it been refrained from in the TWENTY other prisons whose medical economy is noticed in the communications now laid before Parliament ? and if it should be, though a special reply may perhaps be offered by a few of them, the general answer would unquestionably be that of the Visiting Magistrates to the gaol at Durham, subscribed in their official Report by each of them, "we have not thought it advisable to employ females in

"working the Tread-Wheel :" its dangers to the female frame having, doubtless been sufficiently proved to them by the force of facts in other prisons, or by the professional opinion of such discreet and able practitioners as they had consulted on the occasion.

The view therefore I ventured to take of the Tread-Wheel upon the frame of female prisoners, in consequence of the strain, or morbid and excessive exertion which it either actually excites or perpetually endangers in the muscles and other organs of the loins and abdominal region, as it has been before confirmed by the concurrent sentiments of many of the ablest and most distinguished physicians and surgeons of this metropolis, is so completely established by the parliamentary document now printed, that there is no presumption in believing that it will not much longer be continued any where as a punishment for FEMALEs.

I have dwelt the more at large upon this subject, because the PRINCIPLE upon which it hinges, is just as applicable to males as to females ; and forms the basis of by far the greater number of the complaints anticipated on first contemplating the discipline of the Tread-Wheel. For if the muscles and organs of the loins and lower part of the body be urged to excess, and pressed into an unnatural and distressing, and hence into a morbid play upon each other in the case of the latter, so must it also be in the case of the former. The greater firmness, indeed, of the male structure must necessarily resist its evil effects for a longer period of time, in consequence of which they will neither so soon nor so frequently show themselves ; insomuch that, as I have already observed, it may in some instances require several years before the natural strength of

the organs will decidedly fall a prey in the contest. But the battle is still waging though unpereceived ; the Tread-Wheel is still gaining ground ; and, not only upon the field of combat, but even afterwards, when released from it, the stoutest champion in this new system of warfare may for the first time give palpable marks of its mischievous effects.

The documents before us, narrow as is their compass, and as it necessarily must be from the recent application of the Tread-Wheel, afford as decided proofs of this assertion, as of the malady just adverted to. We cannot get through the very first Report without meeting with a case of rupture produced in a prisoner, while in the act of labouring on the wheel. Nor is the close of these documents more fortunate than their opening : for the two last pages are chiefly devoted to a complaint of spitting of blood, and an accident of a bruised ankle, under the same circumstances ; while at Lancaster, an inflammation, and consequently therefore a tumour, of the groin, is candidly admitted to have been excited, and is justly called an "*injurious effect,*" of this irritant and irksome kind of labour. It is true that in this, as well as in the preceding cases, other means of accounting for these charges are resorted to, with a view of saving the Tread-Wheel as much as may be ; and it is possible that in one or two instances, such means may have been *auxiliary*, as nothing is more common than the concurrence of two or more causes in the production of a disease : but I apprehend no unprejudiced professional authority can be appealed to that will not at once regard the Tread-Wheel as the **PRIMUM MOBILE**, and lay the chief perpetration of the mischief, in every instance, to its account. The

case of the spitting of blood is despatched in a manner equally unusual and unsatisfactory. The boy who affirmed himself to be thus attacked while labouring at the wheel, "called to me," says the attendant surgeon, to say, "that it had made him spit blood :" but as "I was aware how readily such people are to complain, "in order to get free of labour, I purposely **PASSED HIM OVER**, well knowing that *if he became seriously ill, I or one of my assistants should soon hear of it.* We heard "no more of his spitting of blood."--Now if an imposture had been really believed, why, instead of its being **PASSED OVER**, was it not scrupulously followed up at the moment, and exposed publicly, which might have been done with so much ease? A spitting of blood affords a palpable proof of the existence of the disease, and to this proof the boy appeals, and challenges the surgeon's attention, as well as that of his fellow prisoners. The testimony of the latter is not touched upon, nor is it anywhere said that there was no discharge of blood, but only that the patient was *passed over*, and nothing *more heard of it :* in other words, that he had the good fortune to have no return of it, so as, in the language of the report, to "*become seriously ill.*"

But it is not necessary to single out particular accidents or injuries.\* The mischievous tendency of the

\* And still less necessary is it to travel so far out of the record before us, as to give a detail of all those which have occurred since the order of the House of Commons for printing the official returns dated March 10, 1823. It should not be forgotten however that they are far too frequently repeated. One of the latest examples appears to have taken place a few weeks since at Aylesbury, and is thus, as I have reason to believe *correctly*, noticed in a periodical paper without any party comment,

Tread-Wheel machinery is sufficiently established in the official Reports from its ordinary action and effects. Mr. Green, writing from Durham, where the mill had only been in use eight or nine months, and females, as already observed, are not allowed to be employed, recommends, in regard to males, a degree of caution and a brevity of labour, that are highly creditable to him. After observing that he had not at that time noticed any kind of injury whatever, he adds “I am of opinion, if persevered in *with prudence, and not too long continued,* no serious effects are to be apprehended from its use.”

In the House of Correction at Exeter the same distressing pain is admitted to be inflicted on the muscles of the legs, thighs, and back of the prisoners, as we have already noticed in Cold-Bath Fields: but then, says Mr. Luscombe, the Prison-surgeon, “when these have become habituated to it, the employment on the Mill ceases to be a punishment.”

Mere habituation to this kind of labour, however, is by no means enough in the opinion of other Reporters, who, with the prudence felt necessary at Durham, recommend as the only means of warding off the evils to which the prisoners are exposed by the nature of their labour, a particular attention to the construction of the machine, though they do not seem to agree in the modifications that are proposed. Mr. Hubbard, surgeon to the prison at Bury, recommends an *upright* position for the prisoners,

“Friday sennight one of the prisoners in Aylesbury gaol met with a serious accident in leaving the TREAD-WHEEL: his head was so much injured by being jammed between the wheel and the post that faint hopes are entertained of his recovery.”

*John Bull Newspaper, March 23, 1823.*

and intimates that *ruptures* and other injuries are likely to be produced in other attitudes ; while Mr. Hunt, surgeon to the Bedford House of Correction, asserts that the best safeguard against injury is to be found in an *inclined* posture. When the hand-rail, says he, was “fixed in a line nearly vertical over the head of the prisoner at work (it) *caused a pain in the loins*; but by throwing the rail forward, so as to give the body of each man at work, the *position of rather leaning forward*, all *undue pressure on the loins* was avoided, and the labour became *unoppressive*.<sup>2</sup>”

It is not necessary to follow these modifications further, though several others are proposed ; as long intervals between the steps, by some; short intervals, by others ; and a peculiar form of shoe, by one or two ; the charges which in the preceding pages have been brought against the Tread-Wheel, are in every respect sufficiently substantiated ; and the difficulty of rendering it a safe vehicle of hard labour sufficiently conspicuous. Under these circumstances it is not to be wondered at, that different surgeons, in an anxious fulfilment of their duty, should propose different methods, and that the same method should fail in different places. The fault lies not in themselves, but in the nature of the machine they would correct ; and which, as already observed, may be altered again and again, and varied *ad infinitum*, without any satisfactory advantage, since, being founded on an essentially *wrong principle*, no modification whatever can possibly right it.

Nothing, indeed, can more decisively prove the distress and undue exertion under which the muscles chiefly pressed upon labour, than the extreme and exhausting

perspiration into which, during warm weather, the prisoners are thrown within a few minutes, and which the mere *quantity* of labour is altogether incapable of accounting for. This is one of those evils already enumerated as having existed last October in the House of Correction in Cold Bath Fields, and which is also glanced at in the Government document by Mr. Tucker, in his Report from Exeter. "I learned only," says he, "that the muscles of the legs sometimes ached, and that work on the Wheel in warm weather would produce *a great perspiration*." The same fact is admitted by Mr. Dent, to whose active and praiseworthy exertions, the North Riding of Yorkshire is under great obligations. "I admit," says he, "that the employment may cause men to perspire, and unless means are taken to ensure the freest respiration, perhaps *profusely*. At first we found a tendency to the inconvenience complained of, but it was completely obviated by substituting an open trellis instead of closed boards."\* This, however, by no means always answers, though it shows another necessity for some modification in the general system of the Tread-Wheel discipline, according to the ingenuity of the contrivers. In the Cold Bath Fields Prison, the men work under sheds in the open air; and yet here the perspiration at the time referred to was not only profuse, but highly exhausting. Nevertheless, I do not urge this as an objection *in se*, nor have I ever thus urged

\* Letter to Sir J. C. Hippisley, Bart. from the Rev. W. Dent, dated 13th March, 1823, an acting Magistrate for the North Riding of Yorkshire, and Chairman of the visiting Justices of the Committee at Northallerton, (printed at Northallerton.) p. 3.

it ; for, like yourself, I am altogether friendly to HARD LABOUR as such, and care but little how HARD it may be, provided the health of the prisoner is not hereby put in jeopardy. But I mention the fact as a strong and ineontrovertible proof of the trying and distressful nature of the present labour, whether hard or mitigated ; or in other words, as painful, and therefore morbid, from its *quality* and not from its *quantity*. With respect to the latter, I entirely agree with Mr. Dent, and would even go beyond him, that “ the *voluntary efforts* of honest “ industry are surely not too high a measure for the “ standard of *compulsory* labour :—and where is the la-“ bourer whose *daily task* does not exeed a walk of *two miles*, even admitting it to be up-hill?—*yet this is as great a length of distance as can* be performed by the “ revolution of our Tread-Wheel in *six hours*, the average “ of each man’s labour at it per day,” I now, however, take this distinguished and excellent Magistrate upon his own ground, and ask him, in reply, where is the hill, with a path already eut up it, in which any man in a state of health would be thrown into the slightest perspiration in ten or fifteen minutes, even admitting it were covered over, (as in the ease of stairs in a house), whose pace should only equal that whieh is here ealeulated, being not more than *one quarter of a mile in three quarters of an hour?* Who does not see in this, as well as in every other result we have already contemplated, that the alleged cause and effect are not commensurate, and consequently that there must be some other, and more morbid power than that of mere progression ? Who does not at once dive into the real souree of that seeret and indeseribable HORROR whieh this labour is universally allowed to

excite, and which has never been satisfactorily accounted for otherwise? And who, at the same time, does not enter into the absolute necessity, and admit in its fullest extent, the wisdom of those numerous emancipations from labour which exist in almost every prison into which the Tread-Wheel is at this moment introduced, and which renders it only available to considerably less than half those for whom it was at first designed? That it is totally unfit for WOMEN, and will in a short time be universally abandoned in respect to them, does not now, I believe, admit of the shadow of a doubt. Yet among males, the *ruptured*, are, I apprehend, as universally exempted, amounting, according to the estimate of Mr. Macelwain, surgeon to that truly valuable association, "the London Truss Society for gratuitously relieving the poor that are afflicted with ruptures," to not less than one in *six\** of the labouring classes, as nearly as can be calculated. To which we are to add the *consumptive*, who are humanely spared, as noticed, in the Cold Bath Fields, and in vari-

\* "The average number of individuals afflicted with hernia amongst the labouring classes cannot be stated exactly, since no investigation can be instituted expressly for that object. The number of patients relieved by the City of London Truss Society, who reside in and about London, together with the results obtained from observation of patients who apply at the Finsbury Dispensary for other complaints, shows that the number is very considerable: and it may be fairly anticipated, that on an investigation the proportion among males would not be less than ONE IN SIX. The comparatively greater frequency of hernia in male than in female subjects is about FOUR TO ONE." Extract from a letter to Dr. Good from George Macelwain, Esq. Surgeon to the City of London Truss Society, and the Finsbury Dispensary.

ous other prisons ; and those labouring under *venereal complaints, scrophula, or diseases of any kind in the groin*, all of whom it is judged proper to exempt at *Lancaster Castle*.

There is perhaps no prison in the kingdom in which the TREAD-WHEEL has been worked more judiciously, or with a minuter attention to its effects than at this last place of confinement. For not only have delinquents labouring under a great variety of constitutional affections been exempted, and a shorter daily period been allotted for work than the time usually assigned, but the visiting magistrates have, from time to time, submitted the workers at the wheel to the test of a pair of scales, and thus actually put this kind of labour to an *experimentum crucis*. Mr. Smith, the surgeon, writing his official report in the month of February, being less than four months from the first employment of the machine, tells us, and tells us truly, that the prisoners, notwithstanding their expression of dislike to the work, "have gained weight since they have been so employed." Had the history of this well-conducted prison, however, been followed down a little lower, a very curious and important fact, and a very different result, would have been put before the public. From the kindness of the very excellent member for Cockermouth, W. C. Wilson, Esq. himself one of the most distinguished and active of the visiting magistrates of Lancashire, and Chairman at the Westmoreland Sessions, I am now enabled to make the requisite addition, and to bring the history of the Tread-Wheel in this prison down to the present time. Mr. Wilson has been so obliging as to obtain for me a letter upon the subject from the keeper of the prison, of so late a date as

May 26, which I will thank you to subjoin as a foot-note; and which, if I mistake not will be found to form, upon this contested subject, a far more important document than any one whatever contained in the Government returns ; affording another proof, if proofs indeed were yet wanting, how very unripe the present season is for casting up a general account of the whole crop of evils which belong to the Tread-Mill machinery, and will probably shew themselves in its fulness of time.

The ordinary period of the day's employment at the wheel, as estimated by the Committee of the Prison Discipline Society, is *eleven hours*; which, allowing for the intervals of rest and refreshment, they reduce to *seven hours and twenty minutes*, forming “the *time* of actual labour which falls to the lot of each prisoner for the day :”\* during which period he walks over the wheel, according to another of their estimates, twelve thousand feet, or about *two miles and a furlong*, “which is the amount or measure of labour performed by each prisoner on the Tread-Wheel for the day ;” nearly coinciding with Mr. Dent's calculation.

Now at *Lancaster Castle*, as we learn from the subjoined letter, the visiting magistrates, with becoming humanity, have adopted a smaller scale of labour than this laid down by the Committee of the Prison Discipline Society ; for they have never carried it higher, in extent of time, than to *ten hours and a half* for the day's employment, instead of *eleven hours*; while, in the winter months, they have reduced it to *seven hours*. In other

\* Description of the Tread-Mill, &c. p. 13. Longman and Co. 1823.

words, they have never compelled the prisoners to walk more than *two miles a day*; and, in short days and cold weather, have been satisfied with their walking *a mile and a half*. And I now come to the very *extraordinary result* which the letter I refer to discloses, (extraordinary I mean to those who have not duly contemplated the subject in all its bearings), by putting this slow and snail-paced labour to the test of a pair of scales, which have been employed as a direct SARCOMETER, to determine the amount of struggle between the living powers of human flesh and blood, and the destroying powers of the Tread-Wheel. While the pace is only *a mile and a half*, or a little more, for the day, it appears that the strain on the muscles has not hitherto been found so mischievous as to make any inroad on the living principle; so that, as the prisoners are humanely fed upon a regimen which equals the richer scale of diet just laid down by the consulting physicians for the convicts in the *Milbank Penitentiary*, the ordinary functions of the body have not been interfered with, and the workers have increased in weight from eight or nine grains to an ounce or an ounce and a half a day. But the moment the measure of labour is pushed on to *two miles a day*, the whole system shrinks before it, and the prisoners WASTE AWAY at the rate of from A POUND to NEARLY A POUND AND A HALF EVERY THREE WEEKS. There are a few anomalies in the table, which ought probably to be referred to the state of the weather at the time, and the degree of perspiration, sensible or insensible, to which the temperature of the atmosphere must necessarily give rise, but the general fact is clear and unquestionable; and the whole country is indebted to the

wisdom and humanity of the visiting magistrates of *Lancaster Castle* for putting this machine to a trial, as well as allowing this fact to be given to the public.\*

Now what other labour under the sun, short of that

\* Extract of a Letter from W. W. C. Wilson, Esq. M. P. for *Cockermouth*, to Dr. Good, dated Downing Street, 28th May, 1823.

"I have this morning received from the keeper of *Lancaster Castle* the enclosed letter. Perhaps you may think it worth "while to cause a copy of it to be taken."

Copy of a Letter from the keeper of *Lancaster Castle* to W. W. C. Wilson, Esq. M. P.

*Lancaster Castle, 26th May, 1823.*

"Agreeably to your wish I beg leave to send herewith the average gain or loss of weight of the prisoners employed at the Tread-Wheel. Owing to my having occasion frequently to change the prisoners, on account of their removal to the hulks, or discharge from prison, or to make room for the refractory, I have not been able to bring my experiments to that nicety I could have wished, and should have done, had I been able to keep the same set of men at work for three or four months together.

From 10th February to 19th February, working 7 hours each day,

1lb. 7oz. gain per man.

19th February to 4th March, (9 hours) gain  $\frac{1}{2}$  oz. ditto.

4th March to 25th March (10 $\frac{1}{2}$  hours,) lost 1 lb. ditto

25th March to 28th April, (ditto) lost 2 $\frac{1}{4}$  lbs. ditto

28th April to 26th May, (10 hours) gain 1 lb. 8oz. ditto

"There has been no alteration in diet. The prisoners have been kept solely on the prison allowance.

"As far as my experience goes, I am of opinion that the employment is *very healthy*, and I have not observed that this species of labour has had the slightest tendency to produce any specific complaint.

"From the anxiety the prisoners express to change from the Tread-Wheel to *any other* description of work, from the enquiries I have repeatedly made of those within, as well as those leaving the prison, I have no doubt upon my mind, but that the labour is SEVERE—VERY IRKSOME, and such as is likely to deter

of *actual torture*, to which men have ever been condemned, or in which they ever can engage, in the open air, has produced, or can be conceived to produce, such a loss of flesh and blood, as that before us; where the rate of progression, whether up hill, down hill, or on level ground does not exceed *two miles* for the entire day, and the labourer has to carry no bag of tools or weight of any kind, but the weight of his own body? Under all the ordinary labours of life the distance is really laughable, whether for man, woman or child; and yet we are told, and told most correctly by the praise-worthy keeper of this very prison, that short as is this measure of progression for the day, the prisoners not only waste away in flesh when this measure mounts up to the pinching scale of **TWO MILES**, but that at all times, as well under it as above it, "he has no doubt upon his mind that the "labour is **SEVERE, VERY IRKSOME**, and such as is likely "to DETER men from the commission of crime;"—that "he has found the employment a **TERROR** to the refractory;" and that "the prisoners express an anxiety to "change from the Tread-Wheel to *any other description of work.*" Is it necessary again to ask what can possibly be the cause of this **SEVERITY**, of this **EXTREME** men from the commission of crime. I have found the employment a **TERROR** to the refractory.

"I am happy to say the criminal side of the prison is lighter than it has been for many years; the debtor's side are average number.

" Trusting my reply will be satisfactory,  
 &c. &c. &c.

(signed) THOMAS H. HIGGIN.

P. S. I have read with much interest the Report of the Physicians at Millbank Penitentiary, and am happy to find, the diet they have recommended, so very nearly agrees with that in use here.

IRKSOMENESS, of this TERROR and ANXIETY to flee from the Tread-Wheel to work of any other description, however HARD in the true sense of the term, however burdensome or protracted? Is it again necessary to hold up before the eyes of the reader, the tortuous attitude in which the prisoner moves, the mischievous distress excited in the loins of males as well as females, the perspiration that so often drips from him, and lastly the general sinking of his frame, the yielding of his sinews, the loss of flesh and blood which he endures while advancing in his snail-paced career?—to say nothing of the accidents to which the workers upon the wheel are daily exposed, and the danger they are perpetually running of being thrown violently on their backs and breaking their limbs.\*

There is one morbid effect, however, which it appears to myself and others that the Tread-Wheel ENDANGERS, of which we have no example in the Reports before us, and that is, *aneurismal, varicose, and nodulous tumours* in the vessels of the lower limbs. But these are in almost every instance of *slow growth*, and hence are only to be expected in those who have been sentenced to the Wheel for a much longer period than the average term of its general establishment; and I should on this account have been much more surprised at meeting with actual instances

\* It may possibly be said, that a sufficient number of experiments have not yet been made upon this subject to arrive at a fair result. But this is to adopt our own argument as unfolded in every page of these sheets. We appeal to additional time and additional experiments as absolutely necessary to a development of all the evils which inherently and essentially appertain to this kind of discipline. Yet, enough have perhaps been already unfolded to satisfy those who are not very voracious of mischievous effects.

of it, at present, than at finding none have occurred. The anticipation, however, of such in long-worked culprits has as firm a basis both in physiology and pathology as that of any of the preceding maladies ; and the disease will as assuredly make its appearance wherever there is a sufficient opportunity for its growth and maturity, and especially where there is a diathesis leading to this effect. A very respectable practitioner, in his Report upon the subject, has ventured to assert the contrary, and to express a belief that "the KIND AND DEGREE of exercise made use of," on the Tread-Mill, instead of producing, would most probably prevent any such disease. But this is to give the machine a salutary power of which I am persuaded he will never avail himself in his private practice. All severe pressure or over-exertion of the vessels of the lower extremities have a tendency to induce these affections, and particularly *varices*, the column of the veins giving way in those parts that are weakest ; and, as I have already observed, the cure or the prevention being alone accomplished by giving ease, rest, and support to the weakened organ, instead of by urging it to fresh labour. And hence, as your correspondence will be found very sufficiently to establish, this disease, like rupture, is chiefly to be met with among persons that are habitually engaged in such up-hill labours which make the nearest approach to that of the Tread-mill, as those of sailors, thatchers, miners, and bricklayers' hod-men. But in none of these have we so much reason to expect ultimately varicose swellings of the legs as in the workers at the Tread-Wheel ; for in all the former the periods of climbing are sooner over, and consequently the labour is more equally divided between different sets of muscles. The miner reaches and rests upon the surface of the earth, the hod-

carrier upon his scaffold, the seaman upon the yard-arm, or platform of the mast, and the thatcher upon the ladder itself: while the worker at the Tread-Wheel has no rest or relaxation whatever till his assigned period of climbing is fulfilled; again, mechanically resuming his task, as his turn comes round, and persevering in the same manner from day to day.

Yet, it is curious to notice the *tardiness* with which this chronic affection frequently makes its attack even among the classes that chiefly suffer from it, and which sufficiently accounts for its dormancy to this hour under the Tread-Wheel discipline. When landsmen, indeed, suddenly engage in sea-service, the awkwardness with which they tread the decks and engage in the various movements which that service requires, produces such a partial and irregular pressure, and consequently such a strain upon the vessels and muscular fibres of the legs, as often to excite varicose tumours in a very short time: and hence it is observed by one of your naval professional correspondents,\* that of the cases of this kind which have fallen under his observation, the greater part have appeared *not in able seamen*, those who have been inured to the service from youth,—but in *landsmen*, who are sailors but have not been regularly bred to the sea. On the contrary, when sailors enter the service in their boyhood, the greater pliancy of their muscles, and hence the greater facility with which they are enabled to change from one attitude or position to another, and thus to avoid all strain or partial pressure, counteract in a very considerable degree the natural tendency to the same morbid effects, and postpone their appearance in some cases for a long term of years. On which account several of your

\* Mr. Hammick, Surgeon of the Naval Hospital at Plymouth.

correspondents entertain a doubt whether “the nature of a seaman’s employ *particularly* disposes him to such an affection\*”—or whether it is found more frequent among seamen than in other walks of life.” For this reason the middle and most active part of a regular *seaman’s* life is usually exempt from any external appearance; and even in many cases, where it actually shows itself, however troublesome to the individual, as there is little accompaniment of pain, no complaint is made, no hospital is sought for, and it is passed by without observation. But the tendency produced from the first by the very nature of the seaman’s labour, still holds on, and operates, though in the dark; the snake though scotched is not killed;—the moment the constitution begins to give way generally, which, from the peculiar wear and tear of a seaman’s life, it commonly does at a much earlier period than in other occupations—the organs most debilitated yield soonest; the veins of the lower limbs become partially distended, and the legs are studded over with purple nodules. And hence the foundation of the very correct observation of another of your correspondents who, after asserting that “seamen are particularly subject to various affections, especially of the lower extremities,” remarks “that the complaint generally supervenes between the ages of thirty-six and forty-five, if the individual has been from boyhood to the sea; at the latter period they are usually men of *broken constitutions*, and *premature age*.†”

I have dwelt the longer upon this topic for the purpose of bringing these valuable communications of professional

\* Mr. Mortimer, Surgeon of the Naval Hospital of *Haslar*.

† Vide Letter, quoted in the annexed communication from Dr. Henry Parkin, Physician to the Naval Infirmary at Woolwich, to Sir J. Hippisley, Bart.

Naval officers to a common focus. On a cursory survey they may indeed seem to clash ;—but there is no necessary incongruity between them ; and they only vary in consequence of the same object having been beheld from a different point of view.

Whether, therefore, we examine the question, physiologically or practically—directly or comparatively, to this conclusion must we come at last, that the irksome and morbid exercise of the Tread-Wheel gives *a tendency* to the formation of *varicose* and hence also of *aneurismal* swellings.\*

\* The practical evidence here referred to, and contained in the subjoined pages, and especially in the postscript, is so full and extensive, that it seems almost superfluous to augment the range of testimony. Yet from the prodigious mass of documents that have poured in upon the writer, or rather compiler, from so many quarters in which those kinds of labour are chiefly carried on, which make the nearest approach to that of the *Tread-Wheel*, and especially the labour of *seamen* in some respects, and that of *miners*, he may be excused for introducing the following Extract, and Correspondence, not merely because it has been given as a matter of opinion in one of the *official communications to the Secretary of State*, that such kinds of labour *would be more likely to prevent than to produce varicose swellings in the legs*, but from the intrinsic value of the facts themselves as matter of statistic and physiological history : for, it is probable that few persons who are not intimately conversant with the habits of the Cornish Miners, have ever imagined that the disease here chiefly referred to, has so wide and indigenous an existence among them from the very nature of their occupation.

*Extract of a Letter to Sir J. C. H. from Mr. Porter, Surgeon to the Leviathan Convict Ship, at Portsmouth, April 26, 1823.*

“ I fully agree in opinion that sailors are more subject to VARICOSE VEINS, and HERNIAS than any other set of men : any pressure impeding the return of the blood will cause nodulous appearances in the vessel below the pressure ; and, if the pressure be continued any time, a dilatation of the vessels and an enlargement of the *calibre* of the same, (if I may be allowed the word) as

It should be remembered, however, that neither myself, nor any one who has coincided with me in opinion, ever ventured to predict more than a *tendency*. We limited our statements to a declaration that the prisoner who is condemned to the Tread-Wheel, from the unwonted, distressing and unnatural pressure which it produces on the organs chiefly tried by its discipline, is perpetually *in danger* of the present, and the other complaints enumerated in the catalogue. It was never dreamt

also a rupture of the valves, will ensue. Such we observe in the legs of women after repeated pregnancy, as also in veins where tumours have been pressing for some time. As for the frequeney of *hernias* in seamen, the laborious exertion in lifting weights, the pressure of the abdomen, leaning over the yards, the constant straining in hauling and pulling easily aecount for it."

*Extract of various Letters from Capt. Crease of the Royal Navy, to Sir J. C. Hippisley, Bart. dated Flushing, near Falmouth,*

Feb. 1, 1823.

"I cannot but believe that it (varieose tumour of the legs) is as common among miners as among seamen; and with the latter it is very common."

*From the same,—Falmouth, Feb. 27, 1823.*

"On personal enquiries at the under-mentioned Mines, the case on which we have been seeking information I find is common,"

	Depth	Parish	
The United Mines	215 fathoms	In Gwenap.	
Daleoth,	225	Camborne.	
Cranver, above	200	Crowan.	
Poldice	170	} 7	Gwenap.
Consolidated Mines,	170		Gwenap.
Pheal Por,	185		Breaque.
Cook's Kitchen,	190		Illogan.

"Those are some of the deepest Mines in Cornwall, and all descended by ladders:—but for the state of the weather lately, this information should have been earlier forwarded. It is singular that some of the gentlemen whose habits caused them to be a good deal immediately about the Mines seem scarcely to have noticed those ruptures of the smaller vessels of the legs; *but, on personal enquiry among the old labouring miners themselves, the case is common.*"

of for a moment by any of us that they must necessarily occur AT ALL TIMES AND IN EVERY INDIVIDUAL IN A PRISON, as so many pests or epidemic diseases: and we hereby made an ample allowance for all those instances of inoccurrence which are to be found in many, perhaps the greater number, of the Reports. There is no colli-

Mine or Parish.	Name of, informed age, and number of years a Miner.	Substance of Information, &c.
United Mines, Parish of Gweuap.	Joseph Truman, William Truman, Bennet Holman. Their ages from 45 to 50, and Miners from thcir youth.	This information was given me by Mr. Benjamin Sampson of Perran Wharf, who has been from his youth brought up among the Mines, is now about 50 years of age, the men named, he personally examined, states they are of robust constitution, have each of them on their legs at least 20 nodes, some of them as large as small hazel nuts.
United Mines, Parish of Gwenap.	Matthew Williams, 36 years of age, 22 years a Miner.	Mr. Sampson is a person of much observation, and states his opinion, that the average of those Miners who are affected with the varicose <i>at the ages</i> above 50 years, are at least 20 out of every 30.
United Mines, Parish of Gwenap.	William Davy, of Redruth, died about five years since, 55 years of age, a Mi- ner from his youth.	This man I personally examined,—of a strong con- stitution, one of his legs only affected, states he found it come on him from the exertion of overstepping him- self with a weight on his back on a ladder, one of the steps of which was broken.
	William Trevena, Parishi of Gluvian, 24 years of age, 8 years a Miner.	This man's son, William Davy, informed me in the presence of Matthew Williams, and John Turner, a very old Miner, both of whom were well acquainted with William Davy Senior, they state his legs were covered with nodes.

I personally examined, numerous nodes on both legs, rather of a slight frame, considered a most active and laborious young man.

" I will now enter into a detail of the manner attending my obtaining the information of the last three persons, it will assist you in forming your conclusions. By appointment I was this morning to accompany *Mr. Sampson* to the different Mines, on my arriving at *Perran Wharf* found that an unexpected occurrence prevented his attending me, therefore a note was given me to the two principal Captains of the United Mines. (*Capt. Henry Tregoning and Capt. Teague*) This Mine being one of the deepest (instead of 210 fathoms, as I before stated, it is, as they term it,

sion whatever between the anticipation laid down, and the histories officially returned: that the injuries said

(220 fathoms from grass.) This Mine I was desirous of making my object in coming as near as I could to the average of cases; my introduction was kindly received. They proffered their future services as I suppose their consideration to obtain every particular information on the subject desired. I directed my course to the hut, where the miners take shelter on coming out from the Mines; found setting by a fire three miners, addressed my subject to the elder. His reply was, "*That what they called a knotting of the veins of the calves of the legs was universal among the Miners,*" but neither of the three, would give any particular names. After a little kindness on my part, Davy addressed his comrade Matthew, "*why don't you show the gentleman your leg, you know you have it.*" He pulled up his trowsers, it was the ease. Having their confidence, Travena came into the hut, the old miner desired him to pull up his trowsers, he did, *the back part of both his legs were, literally, covered with nodes.*"

*From the same. Falmouth, March 19, 1823.*

"I rode this morning to Perran, knowing Mr. Sampson had information for me. As I before observed, he is greatly engaged in the mines—he was absent from home—you shall have the attestations you desire; I am perfectly satisfied that the object of your enquiry will be most fully established. It is very probable, and indeed I know that in a very large part of the cases, the men affected cannot *positively* say it is entirely caused by the exertions of ascending and descending the ladders. But in common reason there is not a doubt left on the case. *No miner who you will question on the subject, but tells you, that they never fail of experiencing a very acute pain in the back part or eals of the leg, for some time after unusual exertions in ascending or descending the ladders. Those nodes, perhaps, are not the instant effect of those strains, or rather I should say, do not, at the moment, shew or appear, nor am I surprised at the little information even of some medical men on the very frequent appearance of those cases, as the men so affected experience no particular inconvenience after those nodes are formed.*"

*From the same. Falmouth, April 2, 1823.*

"Mr. Sampson has been absent these ten days at Liverpool and London; on his arrival, I know he will immediately

to be threatened or endangered have taken place occasionally, and as far as the anticipation could run, is substantiated by a cloud of facts ; and that they have write you ; he is most sensible and satisfied as to the facts. *I am warrarited in as fur as I have proeceeded, in my entire confidence.* A few days sinee, on my road to Truro, passing the smelting house at *Carlenie*, I saw an aged miner go into an adjoining Public House, and followed him ; *the baek part of his legs was covered with nodes* : he also gave me the name of another as much so afflicted as himself, whieh name you shall have in a list with others in my next letter, and I have no doubt but *the eause is to be alone attributed to the ladders and not to water*, otherwise why are not fishermen so affeeted? nor can I find any instances of varieose swellings in those labourers whose work has been entirely confined to stream works."

*From the same. Falmouth, April 19, 1823.*

" On my return this day from the mines, I hasten to give you a brief sketch of the cases and information I have collected.

<i>Men's Names.</i>	<i>Age.</i>	<i>Parish.</i>	<i>Miners from Youth.</i>
Thomas Benett,	54	Gwenap	ditto.
Samuel Spargo,	48	Hythians	ditto.
Nicholas Tregwidden,	46	Wendron	ditto.
Simon Prior,	31	Ditto	ditto.
John Hart,	60	Gwenap	ditto.
John Ustrick, Sen.	60	Camborne	ditto.
John Ustrick, Jun.	35	Ditto	ditto.
William Tregay, Sen.	43	St. Agnes.	ditto.
James Tregay, Jun.	22	Ditto	ditto.
John Tenby,	45	Camborne	ditto.
Thomas Bishop,	40	Gwenap	ditto.
John Seobell,	50	Ditto	ditto.

*From the same. Falmouth, May 1, 1823.*

" I sent off a note to Mr. William Davey, (30 years of age, 14 years a miner,) *his situation being a plae of responsibility, being Clerk and Superintendant of stores on the spot of the United Mines.* I also knew that it was a *pay day*, when miners are in greater numbers assembled. The result of his enquiries are inclosed; he

not taken place in every instance, or in every prison, is a farther testimony in support, instead of in demolition of the prediction; because, by the restriction with which it was accompanied, it left ample room for

was present at my examination of the men whose names I have already had the pleasure to forward to you. In short, I am surprised how any man can possibly question or contradict the existence of this complaint among the miners, and I do consider, from information and *ACTUAL OBSERVATION*, that *two out of three persons (miners) are afflicted with this complaint.* If I had wished it, I might have forwarded you the names of hundreds so affected. I recommend those who doubt it to give themselves the trouble of *one day's personal enquiry* at any of the mines."

*From Mr. William Davey, Clerk and Superintendant of Stores of the United Mines, Cornwall, April 30, 1823, to Capt. H. Crease. R. N, (inclosed in the above.)*

" Sir.

These are the names of the men that have got the *vornieles\** in their legs.

Peter Eddy, aged 60 years; Parish of Wendron. *Miner 40 years; subject to this 30 years.*

Henry Vineent, aged 30 years; Parish of Wendron. *Miner 15 years; subject to this 15 years.*

Thomas Holman, aged 25 years; Parish of Gwenap. *Miner 10 years; subject to this 7 years.*

William Harris, aged 60 years; Parish of Redruth. *Miner 45 years; subject to this 40 years.*

Thomas Harris, aged 22 years; Parish of Redruth. *Miner 12 years; subject to this 7 years.*

Richard Williams, aged 41 years; Parish of Redruth. *Miner 25 years; subject to this 15 years.*

Arthur Oats, aged 40 years; Parish of Gwenap. *Miner 25 years; subject to this 14 years.*

John Bray, aged 45 years; Parish of Gwenap. *Miner 30 years; subject to this 10 years.*

These are the names of the men, and if you wish me to get

\* Probably a provincial corruption of *barnacles*.

the cases in which they have not occurred. The station in life and character of the gentlemen who have furnished the professional records, and let me add, with some degree of pride, the profession itself to which they belong, entitle them to the fullest credit, and I confide in their statement of facts, unreservedly. The general result of the inquiry establishes, incontrovertibly, that the discipline of the Tread-Mill cannot be engaged in *without danger*, and it

more names of the men that is subject to the *Vornicles* in their legs, I have no doubt but I may get more if you wish me.”\*

*From Mr. W. Sampson, Superintendent of Mines, &c. to Sir J. C. H. dated Perran Wharf, near Truro, April 10, 1823.*

“ Captain Crease has informed me you are desirous of my writing you my opinion on the *nodular affections* *I have so frequently witnessed among the mining class of people; I do consider it arises from the over-exertion of these men ascending and descending the ladders of the deep mines;* the ladders are nearly upright, and the miners have that part of the foot on the stairs of the ladder (nearly or close behind) the ball of the great toe.”

*From the same, to the same. Perran Wharf. May 5, 1823.*

“ My reason for delaying an answer to your letter of the 16 ult. was, that I did not, until Saturday last, see a *Professional Gentleman* who could give me much information, and very conversant with the diseases, &c. of *Miners*. He says the *nodular affections are very frequent, and a majority of the miners subject to them;* that they are merely an enlargement of the *lymphatic or absorbent vessels*, not attended with any pain or danger, and which he *ascribes to climbing the ladders.* He also says that sometimes the miners by carrying heavy barrows of copper ore up the heaps of ore, the exertion and strain on the foot and leg break off some of these vessels, in that case, it is attended with pain, and the patient is obliged to lie by for some time.”

\* It appears from this statement and other enquiries, that *varicose affections are generally of slow growth* when produced by the ordinary *Ladder climbing*, though occasional strains of the organs produce them more rapidly.

will remain for the magistracy or for Parliament to determine, whether such danger be sufficient to prohibit its use altogether, or to restrain it in the manner recommended in the letter of your friend Sir Gilbert Blane, and, I believe, by some others of your Correspondents, as a commutation for capital punishment, or such judicial sentences as approach nearest to it.

It should not however be forgotten that the opinion which I submitted to you in the first instance, and which in fact pervades the general range of the medical statements conveyed to you, is not disjunctive, and limited to the Tread-wheel alone, but comparative of the rival powers of this machinery and that of the Hand Crank-Mill. And I cannot but lament that the Government Inquiry has hitherto apparently been restrained to the former altogether. It is not to HARD LABOUR that any objection has ever been made, or thought of by those with whom I have had the honour of conversing in opinion, but only to *morbid* or *perilous* labour. For were there no risk of injury, or irregular and therefore painful straining of muscles little fitted by nature for the exertion with which they are tried by the Tread-Wheel, we should readily give our consent to an increase instead of a diminution of the toil : we would augment the *quantity* if we were allowed to change the *quality*, so that the punishment, though applied in another manner, might be as wholesome from its recollection as from the mode of its infliction. Were there indeed no other machinery by which a commensurate degree of punishment might be applied than the Tread-Wheel, such seems to be the necessity for a castigation that may sink deep into the mental as well as the bodily feelings of the culprit, and

haunt his memory long after his release, that, notwithstanding its dangers, it might perhaps be a question with a moral and benevolent heart whether this violent and perilous instrument of reformation ought not to be resorted to. With all its evils, it is undoubtedly less baneful to the body as well as to the mind than absolute idleness ; and hence there is no difficulty in conceiving that the general health has in several prisons been less trenched upon since the use of the Tread-Wheel, than when its inmates were utterly abandoned from month to month to a life of torpid indolence and inactivity. But while the rival instrument of the Hand Crank-Mill is capable of effecting, as it appears to be, all that the Tread-Mill can or ought to achieve, without the ill consequences it menaces, it should seem to follow that the moral and benevolent heart must give its unreserved suffrage to the latter.

It appears however to have been conceived, by a few individuals, that the Hand Crank-Mill is as likely, or even more so, to induce one or two of the complaints enumerated above, as the Tread Wheel, and particularly varicose tumours and rupture. I do not know that I can add strength to the arguments your statement already offers in direct disproof of such an idea : all the collateral facts obtained from every quarter to which you have applied, from Portsea to the Land's-End, and given by practical observers of the mischiefs that are, in some degree or other, almost inseparable from those kinds of labour which make an approach to that of the Tread-Mill ; as the up-hill work of mariners, miners, thatchers, hod-carriers, and other ladder treaders,—converge to a common focus, and entirely support the view we have taken ;

and that there is no difference of opinion among the professional characters of this metropolis upon the same point of co-operative danger I believe I may fearlessly venture to affirm after an extensive inquiry, and correspondence. To load your pages with a general detail of this coincidence of opinion is unnecessary: the two following extracts from the very many letters I have received upon the subject may serve as specimens; the first of which is peculiarly entitled to notice from the well-known experience and distinguished talents of the writer, and the second from the official as well as personal authority with which it is accompanied.

*Extract of a Letter from Thomas Copeland, Esq. dated Golden Square, March 24, 1823.*

“With respect to the general causes of Hernia and of Varices, two very common and very important diseases, I have nothing to remark more than is commonly known to the profession: but I should think those diseases *much more likely* to be produced by the efforts of labour of the TREAD-MILL, than by the *double* labour of hand and leg, as sketched and described under the name of the HAND CRANK-MILL in the printed paper: which appears to unite the advantages of healthy exercise with those of *compelled* labour as a punishment.”

*Extract of a Letter from George Macelwain, Esq. Surgeon to the City of London Truss Society, and the Finsbury Dispensary, April 15, 1823.*

“With reference to the *different modes of LABOUR* certainly those which call *alternately* into action *different*

*sets of muscles* are to be considered as most contributing to the health and strength of the individual employed. And it would appear to me, that the **HAND CRANK MILL** is calculated, to a great extent, to meet the object, when employed in the manner you propose."

There is however another ground, and of a still more important nature than any we have yet contemplated, which induces me to prefer the **HAND CRANK-MILL** to the **TREAD-WHEEL**. While the latter is purposely designed to operate by **TERROR**, and hence necessarily excites in the prisoner a dread and disgust of labour, and of all muscular exertion whatever, by which he becomes habitually unfitted for work of every kind upon his discharge from confinement, the former operates by giving an insensible invigoration and facility of action to the muscles of most importance in all the callings of mechanical and handi-craft industry ; and, consequently, habitually prepares him for providing for himself at the same period. We have here a *moral* attribute to which the rival labour can make no pretensions. The culprit, just freed from the Tread-wheel, though he should have escaped the diseases and injuries to which he has been exposed while under its domination, *has gained nothing to facilitate his progress in any useful employment* ; with a greater hatred of a prison-life, he will have no greater means, and may perhaps have fewer, of avoiding it : while the hand-crank-man will find that, under your improved machinery and regulations, he has been serving a most valuable apprenticeship, and has become initiated in the healthful, and vigorous arts of thrusting, pulling, heaving, and bearing burdens ; for the action of the Cranks on the

several muscular positions of the body in effect prepares it for the various relative details of *manual* labour. What was irksome to him before he went to prison, he now undergoes with ease and even relish: his punishment may have been severe, but it has proved wholesome; and the curse of earning his miserable pitance of bread and water with the daily and profuse sweat of his brow, is transformed into a blessing for which he will have to thank the magistracy, and the *manual* labour of the CRANK-MILL as long as he lives. This indeed is the chief point to which the discipline of a prison-life should be directed, and which should comprise, if not the whole, at least the essence of its education. Other branches, and of a higher and a more refined character, may be more fashionable in the present day, and some of them may have a strong claim to our support; but this will be found the most useful:—an education that draws forth the faculties of the body without straining them, imperceptibly obtains a triumph over habitual sloth and indolence, best comports with the discipline of religious instruction, and smooths the deserted path to industry, and honesty, and civil life.

That your exertions upon a subject so important as the present, and in every respect so worthy of the statesman and the philanthropist, may be crowned with the success they deserve, is the sincere wish of, &c. &c.

(Signed) JOHN MASON GOOD.

*Guilford Street,*  
*June 7, 1823.*

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After the preceding luminous and detailed observations of Dr. Good, it should seem a work of supererogation to resume the argument upon the TREAD-WHEEL:—"quicquid dixeris, minus erit,"—was the sagacious remark of an acute critic of antiquity, possibly somewhat similarly circumstanced.\* But, since the circulation of the original statement among the provincial magistracy, a printed letter has been immediately addressed to the writer, by the Rev. *William Dent*, a most respectable acting magistrate of the *North Riding of Yorkshire*, which has necessarily a claim to acknowledgment. Dr. Good has indeed taken some notice of it in the preceding pages. A letter has also been addressed to Mr. Secretary Peel, by the Rev. *John Headlam*, Chairman of the Sessions of the *North Riding*: both which letters strongly impugn the statements of the writer, and the professional authorities adduced in support of them. The latter magistrate has quoted from the whole of the pages he opposes only part of a solitary letter of a very intelligent professional correspondent, who notices merely *hypothetically*, and without pretending that the idea was of any essential importance, "the possibility "of contributing, to the next generation, a comparatively "enfeebled race springing from the injured health and "wrested limbs of many of those unfortunate beings who "may be exposed to the impolitic discipline of the "Tread - Wheel." "These fatal prognostics," Mr. "Headlam observes, thus throwing a playful hypothesis and serious facts into the same lump, "are entirely "at variance with experience, on the subject; they have

\* Petronius Arb.

" been completely answered in argument, by Mr. Dent,  
 " and in fact by the Communications received by the  
 " Secretary of State, from the Visiting Magistrates of  
 " every gaol in the kingdom, where *Tread-Wheels* have  
 " been erected."\*

It is to be regretted that such conflicting inferences should be drawn from the same identity of facts, and that a coincidence of opinion did not obtain among those especially with whom the award of the punishment in a great measure rests, the prime object being one and the same in the mind of every conscientious magistrate, though seeking it by different avenues. The letter of Mr. Dent is written with great candour and courtesy; but the present writer must be pardoned if he avows his incompetency to trace in it even the appearance of an argument upon the *subject of discussion* as a general question. This question is in few words,—*which of the two species of machinery* (whether *mills* or otherwise) at present employed in PRISON LABOUR, is most to be recommended for the use of prisons in general; the TREAD-WHEEL, as at present so strongly urged,—or the HAND-CRANK MILL, when brought to that point of improvement of which it is so decidedly and readily susceptible? Now, it is a singular fact, that neither Mr. Dent himself, nor any of the writers by whom he has been followed, and who have been so much satisfied with his arguments, has ever touched upon the nature or powers of the HAND-CRANK MACHINERY, or ventured to bring the TREAD-WHEEL into a competition with its attributes. " It is not my intention (says Mr. Dent) to " engage in an inquiry as to the comparative superiority " of the TREAD-WHEEL, or the HAND-CRANK MILL,

\* Letter to Mr. Secretary Peel, by J. Headlam, A. M. p. 39.

" or the CAPSTAN, or any other description of labour founded on similar principles. It will not be denied that the *introduction of any one of them* will counteract the evil I have alluded to."\*

In what possible way can it then be maintained, for a moment, that this letter contains a very satisfactory reply to the statements of Sir J. H., or that his "*prognostics*" are therein completely answered in argument."†

So far indeed as the experiment of a Tread-Wheel has hitherto been tried at the single Prison of NORTHALLERTON, it does not seem to have been productive of any injurious effects; and consequently the delinquents in

\* Mr. Dent's Letter to Sir J. C. Hippisley, p. 3.

† It is reasonable to assume that it was the object of Mr. Cubitt to give correct representations of the action of the *foot* upon the *Tread Wheel*, in the plates annexed to his Reports delivered in to the several magistrates with whom he has been in communication; and from one of these, perhaps the most countenanced of the whole (the Account of Bury Gaol published by Mr. Orridge the Governor) the figure 4, in the annexed sketch, is faithfully copied. Mr. Dent observes (in his Letter to Sir J. H.) "that as the *whole length of the foot* is often brought in contact with the *treadle*; and indeed sometimes the *heel*, and not the *toe only*, the position is varied almost *ad libitum*; and on a wheel where men are at work there will be every variety of posture which is ESSENTIAL for the due alternation of muscular flexion and extension." In the admission of this ESSENTIAL REQUISITE every man of feeling and reflection must heartily concur with Mr. Dent; but, if such be the construction of the *Tread Wheels* at Northallerton as to admit the varied and voluntary action of those committed to the labour, as he describes it, very dissimilar indeed must be that machinery, from *all those wheels of Mr. Cubitt's construction (or under his superintendance) elsewhere*. The recent inspection of the machinery at *Cold-Bath-Fields*, principally made to ascertain this fact, as particularly stated in the concluding part of the preceding letter of Dr. Good, of the 7th of June, with his observations upon the result, will be found of particular interest.

this individual prison, have been more fortunate than those in many others. And this is the only point in which the Statement of the present writer, as made to the Secretary of State, and Mr. Dent's letter come not into collision, for there is no collision whatever, but into contact with each other.

It is admitted in that statement not only that in the prison of *Northallerton*, but in many others, no injurious effects have been hitherto occasioned, in consequence of the shortness of time during which the Tread-Machine has been upon trial. But to bring forwards the solitary case of the prisoners at Northallerton as a complete and satisfactory argument that no evils have happened, or can happen, in any other part of the country, or even at *Northallerton* itself in some subsequent period, is to oppose the taste of the water of the *Thames* to that of the *Ocean*; and to maintain that because the tide of the former which flows into, and is driven back by that of the latter is sweet, the sea with which it intermixes must be sweet also.

Even at *Northallerton*, however, it should not be forgotten, that Mr. Dent himself, and the visiting magistrates who act with him in their superintendance of the workers of the TREAD-WHEEL, feel it necessary to allow a diet so much higher than the ordinary standard, where this machine is not employed, as to have fallen under the censure of the Committee of Prison Discipline. With these Gentlemen this part of the question inust be left, as was before observed; it should seem, however, in the actual circumstances, that the visiting magistrates at *Northallerton* were guided by a justifiable view of the case, and that the surplus complained of was warranted

by the nature of the labour itself: but then we can only draw an additional proof from this very fact, that such species of labour is of a character *essentially exhausting*, and demands a more than ordinary degree of support, notwithstanding all “*the varieties of posture for the due alternation of muscular flexion and extension,*” which Mr. Dent admits to be so “*essential,*” are allowed for.

The objection urged by the same Committee against the state of the night-cells in this prison, appears to be on better grounds, and the writer could hardly avoid adverting to it while noticing the Surgeon’s statement of the growing health of the prisoners. Mr. Dent has unfortunately fallen into the error of imagining that this part of the quotation of the words of the Prison Discipline Committee was intended to convey a severer reprehension than is contained in the original words, and has, somehow or other, been induced to conceive that the phrase—“*an iron race of prisoners*” employed as expressive of their hardihood in being able to fight off the evil effects of the *night-cells*, and the *labour of the Tread-Mill*, is equivalent to that of an *iron race of magistrates*. The writer, however, begs distinctly to assure this most respectable and zealous magistrate that the words quoted, were employed in their *original sense alone*; and that it never was his intention, for a moment, to impeach the visiting magistrates of Northallerton of *an iron hardness of heart* by representing the delinquents under their superintendance as possessed merely of an *iron stoutness of sinew*; nor can he even now see how the two ideas are convertible or coimnensurate. To this effect, indeed he, some time since, availed himself of the most direct channel of assuring Mr. Dent, by private communication.

It was one of the objects of the present compilation that it should have appeared, as early as possible, after the introduction, or revival, of the Bill for consolidating the several Laws relating to Gaols and Houses of Correction. It was not, however, practicable to effect this object as early as could be wished; but as the impediment was merely of a personal nature, with whatever severity it has pressed upon the individual concerned, it is not necessary here to advert to it further than in explanation of the delay that has ensued.

In the mean time the *Bill* has passed the House of Commons, but no novel restriction has been imposed on the juridical authorities or their functionaries, with reference to PRISON LABOUR; which is still left to the discretion of the executive Magistracy, in the spirit of the anterior enactments.

It would have been also desirable that the statement of facts comprehended in these pages, had been submitted to the public more generally before the recent ANNIVERSARY OF THE SOCIETY FOR THE IMPROVEMENT OF PRISON DISCIPLINE, especially as the Committee had descended to notice, in its last publication,\* the objections of the writer respecting the introduction of the TREAD-WHEEL, as an instrument of PRISON LABOUR, and had also adverted to "the satisfactory reply given to those objections by "Mr. Dent, the Chairman of the visiting Justices of the "House of Correction at *Northallerton*." The certificates laid before Parliament are moreover assumed as quite "decisive of the merits of the TREAD-MILL—and that "it may be regarded as a fortunate circumstance, that "Sir J. H. has given so wide a circulation to his objec-

\* Description of the Tread-Mill, 1823, p. 26.

"tions, as it has elicited many important facts, and given  
"rise to much valuable discussion and useful inquiry."\*

\* In the original Statement addressed to Mr. Secretary Peel forming No. II. of the following pages, a Letter will be found, which may be adverted to in this place, in illustration of the above observations of the Committee; especially since the worthy Magistrate from whom it proceeds, stands so high in the estimation of the Society itself, as will appear from the following Extract of their THIRD REPORT.—“The Committee have much pleasure in quoting the **VALUABLE TESTIMONY OF THAT EXPERIENCED MAGISTRATE**, Sir JOHN ACLAND; who, “in his evidence before the Goal Committee of the House of Commons, observes, PRISON LABOUR is the ground work of all improvement, of general tranquillity, and hope of reformation in a prisoner’s habits of life and disposition of mind. Give a prisoner *action by labour and employment*, and it will give him a determined direction towards a better system of life: *industrious habits* must be created, be the expense what it may; and the moral effects produced will compensate for all numerical loss that may be sustained.” It is proper to observe, that Sir JOHN ACLAND has been actively occupied with the duties of the provincial magistracy for more than thirty years, nearly the half of which time he **PRESIDED IN THE CHAIR OF THE COUNTY OF SOMERSET**, and also participated in the onerous labours of a VISITING JUSTICE both of the COUNTY GAOL and the HOUSES OF CORRECTION. With reference to his opinions on the present subject of discussion, on the 27th of November last, SIR J. ACLAND addressed a Letter to the writer of these pages, in which he *observes*—“all things go by fashion.—The Tread-Mill is so much sanctioned by popular opinion, as a new mode of punishment, that the philanthropy of the day does not recoil at it; and it is to be carried on throughout the Prisons, without consideration, nay, *against a prudent one*:—presently we shall find the *impropriety of it appealed against, and voted cruel, dangerous, and the like*; and it will be ordered to be laid aside as *disgusting and unsuited to the age we live in, and to the humanity due to prisoners!*”

“The Hand-Mill (I agree with you) is free from all such complaints, and the labour of it may be increased to any quantum

Most heartily concurring with the Committee in this inference, it is in the full spirit of the principle it develops, that the present sheets are submitted to the public, which will now be enabled to determine, how far the remarks contained in Mr. Dent's reply, or any other, are satisfactory, or the official certificates *decisive* of the question at issue. To have introduced a discussion upon this subject in all its bearings, and especially as to those effects of the discipline which are most to be deprecated, at the overflowing anniversary of the Society, would, to say the least, have been a most misplaced effort; and indeed, from the description\* of the *majority who composed that assembly*, an effort peculiarly indecorous, and such as could not have been tolerated. The resolutions, which in the opinion of the Committee were proper to be moved in the general assembly, were printed and known to be such as must necessarily ensure an unanimity of support; and were approved by none more than by the writer, who, after paying his homage to the illustrious President in the Chair, soon retired.

In the previous Committee, however, which was fully attended, and to which he was introduced by the highly respected Chairman, the writer felt no obstacle prohibiting a full disclosure of his feelings and opinions, and

“ *of power* necessary to produce *hard labour*, or be regulated to  
 “ any degree of wholesome exercise. Can any one who will exer-  
 “ cise his reason, by the help of a little *anatomical* knowledge,  
 “ halt between two opinions,—The first dangerous result from  
 “ the *Tread-Mill* will open the eyes of the blind and unthink-  
 “ ing.” — Such is the opinion of this experienced magistrate  
 upon the present question.

\* Of the respectable assemblage at the anniversary Meeting the greater part were *females*.

which he communicated without reserve. It was in truth, for the express purpose of conveying them, and of disclosing some important facts of recent occurrence, that he availed himself of the occasion, and even felt it his duty to be present.

One of these facts has been already alluded to in the preceding pages,—a *resumption* of the discipline of the TREAD WHEEL with reference to FEMALE delinquents in the House of Correction in Cold Bath Fields, a measure that certainly calls for a very explicit justification, in the estimation of those who recollect the *causes of its late discontinuance*.

In the Address of the writer to Mr. Secretary Peel, accompanying the statement of facts, of the 12th of October, 1822, a casualty which had occurred in the same Prison from the machinery giving way, was noticed with the remark—that, from a *close observation of the construction of the machinery*, very little confidence could be entertained that a similar event might not recur. The anticipation was but too soon verified, and *four similar casualties*, by which all the workers were thrown on their backs from a considerable height, will be found to have taken place within *three months in the same prison*. It was naturally supposed, and formed another ground of remark, that where such an enormous expenditure has taken place, the intelligence of the artist must have been exerted to its fullest extent, to obviate such formidable evils; and hence that no human art can effectuate such security in machinery constructed as the Society themselves describe it in their recent publication, —where “*the axis or shaft passes UNDER THE SEVERAL YARDS, AND BY MEANS OF THE UNIVERSAL JOINTS COM-*

MUNICATES AT EVERY TURN, WITH THE TREAD WHEEL OF EACH CLASS.\* Such is the description of the machinery at BRIXTON, where it is understood one casualty at least has taken place of a similar description to those which have so often occurred at COLD BATH FIELDS; and which must occur there more frequently, since the *ramification* of axles and shafts, visible and invisible, extends nearly 1000 feet, through the whole range of which the fracture of a single bolt or screw box may possibly dislodge the entire number of workers, to the extent of between *two and three hundred persons at a time*, whose fall must be ON THEIR BACKS, and from an elevation of many feet perpendicular. It is difficult not to be somewhat particular in description when expedients, productive of so much eventual mischief are so unnecessarily resorted to, and with so much earnestness persisted in. Within the course of the last few weeks a similar casualty has again been repeated, by which all the workers were once more thrown from the Wheel. By the providence of the Governor, the opening of the flight of steps had been closed up, as a guard against the probability that upon a recurrence of such casualty, some of those thrown down might otherwise have some ten or a dozen feet in addition to their fall.

These facts have been distinctly described by Dr. Good, who, with Mr. Cole, a professional gentleman, accompanied the writer in his last visit to the prison: and with the evidence of such facts before his eyes, in a county of which he has the honour to be enrolled among the acting Magistrates, confirmed moreover as this evidence is by the *multiplied proofs* which the present

\* Description of Tread-Mill, p. 4.

sheets afford, and coupled with the fullest conviction of the mischievous effects which must result from the adoption of such a description of prison discipline, the writer found it difficult to forego the opportunity which the assembly of the Committee presented of communicating to its members, in person, the present evils he had thus actually witnessed, and the future evils he could not avoid apprehending; and at the same time of suggesting the expediency of adopting, as a substitute for so objectionable a mode of discipline, a machinery as much less expensive in its outfit, as it will be found more productive in its issue; and which, while it embraces all the predicated good, avoids all the evil of the Tread-Wheel labour.

The writer has been since informed, that after he had quitted the general assembly of the anniversary of the Society a few animadversions were incidentally thrown out upon his statement to the Committee, but none, in the opinion of those who were prepared to support it, of sufficient force to call for a direct reply, or to turn aside the concurrent stream of business into what was manifestly a digression.

The “DESCRIPTION OF THE TREAD-MILL” which has recently appeared from the press, under the authority of the “Committee of Prison Discipline,” comprehends tables of much interest and utility in the hands of those who are disposed to persevere in the application. The *sliding scale* is of this description, and also a *gyrometrical* instrument by Mr. Bate, an ingenious artist. Nor can the author avoid adverting to a passage in the same tract which immediately corresponds with his own feelings, and which he trusts will serve as a salutary hint to other champions for the Tread-Mill, possessed of less flexible

materials, and less disposed to concede upon any point.

“The practice of employing *females* on the Tread-Wheel has hitherto been limited to very few prisons.\* “The evidence which the Committee have been able to obtain relative to its effects on their health, offers just ground to be satisfied that, *under the superintendance of the matron and surgeon of the prison, no prejudicial consequences will result, but care on the part of these officers is absolutely necessary.* There are, however, to be found in every prison, many descriptions of labour for women, which *are much better adapted to FEMALE HABITS than employment at the TREAD-MILL.* Its application, therefore, although highly useful to certain classes, and however safe and generally beneficial, *would be far from desirable to convicted females of every description,*† and would, of course, to some even be objectionable.‡”—On this supposed *safety* and *general benefit* of the Tread-Mill to female prisoners, however, and the evidence which the Committee tell us they “have been able to obtain” upon this subject, it is impossible to comment, since, whatever it may be, they have not thought proper to lay it before the public. This is the more to be regretted, since, as we have already shewn, the evidence offered by the Official Returns to the order of the House of Commons is, excepting in a single instance, of an opposite bearing; and hence, as those returns are re-printed in

\* Description of the Tread-Mill, p. 27, 1823.

† This humane remark in regard to females may possibly be extended to the Hand Crank-mill, as well as to the Tread-Wheel, so far as relates to the mischief effected in the hands.

‡ Description of the Tread-Mill, p. 27, 1823.

the Tract of the Committee, their own conclusion seems to be contradicted even in their own pages.

Of the great *tardiness of appearance* connected with one description of morbid affection to which the official requisitions under the authority of the Secretary of State *particularly point*, a reference to the corresponding observations of Dr. Good, must be considered as offering much important information, and presenting a clue to other sources of intelligence upon the subject, grounded upon observation that has borne the test of time, and is supported by innumerable facts of irrefragable authority. In the multiplied instances of *seamen, miners*, and other persons, whose lower limbs have borne a more than ordinary proportion of labour, but where nevertheless no violence of exertion has intervened to the extent of a rupture of the smaller vessels, thereby precipitating the manifestation of disease,—it will, for the most part, be found that a *considerable lapse of time* takes place before *varicose* affections are apparent.

The evidence from the mines in *Cornwall* offers a series of interesting facts on this head which might have been carried on to an incalculable extent. The discreet magistrate whose duties occasionally call upon him to apportion the punishment to the offence, will scarcely think his own labour overcharged by a further investigation of the kind of evidence, and deductions herewith offered to the public from most respectable authorities.

On comparing the papers printed by order of the House of Commons, and those stated to be Copies of the same printed in the recent publication of the Committee of the Society for the Improvement of Prison Discipline,

just referred to, some omissions may be noticed in the latter, which would scarcely have been expected without a particular notice; in one indeed constructively involving the great question at issue.—The *Official Information* given to the Secretary of State from the Magistrates, Chaplain, Surgeon, and Governor of the New House of Correction at *Bedford*, is of this description; since in the edition published by the Committee of the Prison Discipline Society, it is deficient in *all the communications afforded by the MAGISTRATES*, or by their apparent authority, amounting, in extent of typography, to more than double what is given by all the rest; and containing, first, a notice that they, the Magistrates, are—“so tho—“roughly convineed of the superiority of this species of “labour for *Prison Discipline*, that they have ordered “a similar Mill with TREAD-WHEELS, to be erected “and worked at the Old House of Correction for this “County, IN ADDITION to the Mill now there, whieh is “worked by *Crank-Machinery.*” Secondly, and immediately subsequent to this intimation of the Chairman of the Visiting Magistrates, the record of an opinion respecting the TREAD-WHEEL, proeceeding from a person not very likely to oppose the immediate object, being that of “*Thomas Lovesy*, a Conviet, who at the weekly “meeting of the *Visiting Justices* is brought into the “Committee Room,” and “whose term of imprisonment,” (say the Magistrates in their report), “will expire, and “whose discharge will take place to-morrow,”—which convict speaks *as well for all those of his comrades who are not present*, as for himself, *who is*, in very high terms of this machine, as though it had been, or was about to be the making of himself and all of them. And

thirdly, subjoined to this examination of *Lovesy*, a certificate, under the signature of the CHAIRMAN OF THE VISITING MAGISTRATES, announcing that the *Governor of the New Prison* “is authorised and permitted to give such “a report of the effects produced by the TREAD-WHEEL discipline, to any *official* enquiries that may be addressed “to him, as he may feel that he can give consistently “with his own conscientious convictions, his observation “and experience :” which is immediately followed by the *formal attestation* of the *Governor*, “that the labour “of the TREAD-MILL IS, in his opinion, QUITE SUFFICIENT FOR CONSTANT EMPLOYMENT; but NOT SEVERE, “or in any way injurious to the health of the prisoners.”

In every thing that relates to the TREAD-WHEEL discipline, the *Keeper of the Prison* thus becomes, in fact, the authorized herald of the VISITING MAGISTRATES; provided always that he does not overstep “his own “conscientious convictions, his observations or experience :”—an extent of confidence which necessarily must carry with it a corresponding weight in proportion to the high estimation in which the Visiting Magistrates of this County are deservedly held in the opinion of the public. It must nevertheless be considered, and seriously considered too, that *this dictum* of the Governor of the New House of Correction at *Bedford*, extends to the *supercession and even the extinction of MANUAL prison labour ALTOGETHER.*

It is probable, that the opinion of the present writer upon these suppressed passages, is precisely in unison with that of the Committee of Prison Discipline, who have thus thought proper to suppress them; but, in a matter of so important and public a nature as that in question, he

has not felt at liberty to follow their example. The weak should assuredly appear with the strong, and the public be put into possession of the whole case. We may here, in a double sense, perhaps—a civil as well as a criminal—adopt the words of the Poet, and say—

“ What if the foot, ordained *the dust to tread,*  
Or hand to *toil*,—aspired to be the head ? ” \*

Of the *personal character* of the convict *Lovesy*, the Committee of the Society for Prison Discipline probably know as much as the writer of these sheets, who does not make this remark *unadvisedly*; while, with the opinion of the keeper of the House of Correction at *Bedford*, thus formally brought before the eye of the Minister for the Home Department under the sanction he has derived from the highly respected magistrates who have the superintendance of this prison, and which thus formally announces that the *labour of the Tread-mill is not severe*, it may not be uninstructive to compare the very different opinion of the keeper of *Lancaster Castle*, whose minute attention to the subject cannot be surpassed, and who, instead of affirming, in *direct repugnancy to the object and end of the TREAD-WHEEL discipline*, that its labour is *not severe*,—tells us, in plain and intelligible terms, that “ from the anxiety the prisoners express “ to change from the Tread-Wheel to *any other* descrip- “ tion of work, from the enquiries I have repeatedly “ made of those **WITHIN**, as well as those **LEAVING** “ the prison, I have no doubt upon my mind, but that “ the labour is **SEVERE—VERY IRKSOME**,—and such as “ is likely to deter men from the commission of crime. “ I have found the employment a **TERROR** to the refrac-

\* Pope's Essay on Man, Epist. i. ix.

" tory :" and who has proved, by experiment, that this employment cannot be carried forward to an extent of *two Miles in twenty four hours* without throwing the men into a general emaciation of their muscular organs.

Such is the real nature of that machinery which, with a marvellous perversion of feeling, at the very moment in which the British Legislature is engaged in softening the severity of our criminal law, has become so popular with the Britith magistracy ; and is employed, in so many prisons, as an **INDISCRIMINATE** punishment for crimes of every shade and depravity, from that of the pennyless beggar who perambulates the streets without clothing or shelter, to that of the sturdy and hardened house-breaker. And which, now that it has so far triumphed over our Prisons, and given us, by its reign of **TERROR**, a general *Gaol Delivery*, threatens in a little while to extend its triumph over our *Poor-houses*, and to give us, by a like reign of terror, a general *delivery of paupers*; thus confounding our civil with our criminal establishment, and inflicting a common punishment on the innocent and on the guilty; on those who are suffering as delinquents, and those whose hard fate it is to suffer without any delinquency whatever,—who are unsuspected of crime, and whose only charge is penury, friendless infirmity, and the want of bread.

These remarks are not thrown out upon light grounds. How far an *intention* of introducing the Tread-Mill into our Poor-Houses has travelled, it is not necessary to explain ; but it is of high importance to notice, that the fact has **ACTUALLY TAKEN PLACE** in one district, and has been followed by all those lamentable circumstances of remonstrance and resistance on the one part, and of a

further extension of extra-judicial authority on the other, which are so seriously to be deprecated at the present moment, but which must take place in every instance in which the same attempt is repeated ; and with the same evil result, also, of a discordant and divided *Quorum*, as well as, of what has been far too harshly denominated, “ a contumacious house of paupers.”

The Poor-house, or House of Industry, immediately alluded to, is that of the Hundred and Division of *Cosford* in the County of Suffolk, containing not less than eighteen Parishes, and incorporated by Act of Parliament. The late and long continued parliamentary connexion of the present writer with that part of the kingdom, has given him an opportunity of obtaining considerable information upon the subject, and enables him to state the following particulars.

It is more than two years since that the idea was first started of introducing the *Tread-machinery* into the *Cosford* House of Industry. It was warmly embraced by the greater number of the magistrates of the Division, and as warmly opposed by a small minority. “ The “ arguments in its favour,” as represented to have been made use of on the occasion, were, “ that it was necessary “ to introduce a PROPER SYSTEM OF DISCIPLINE amongst “ a number of active, healthy, young men, who had been “ put there, either BECAUSE THE FARMERS WOULD NOT “ FIND EMPLOYMENT FOR THEM, OR WOULD NOT ALLOW “ THEM A SUFFICIENCY FOR THEIR MAINTENANCE OUT OF “ THE HOUSE : — that no labour beyond their strength “ should be imposed upon them ; and that it was VERY “ HARD the governors might not use SUCH A MACHINE for “ BREAKING THEIR CORN, &c.” The immediate result of

its use was a general and loud discontent; and several were committed last year to Bury Gaol for refusing to work at it. "I believe things go on more smoothly now (says a correspondent) in consequence of REWARDS PAID TO "the poor, for treading on the wheel."

If it were not that the subject is too serious for ridicule, we have here one of the most humorous anecdotes of the *Tread-Wheel* which its busy annals have anywhere supplied. The *farmers*, it seems, are accused by the justices, of gross misconduct towards the poor of their respective parishes, against whom no charge whatever is brought forward, but who in consequence are obliged to apply to those parishes for relief. Yet, instead of clapping the *farmers*, who according to their own statements were the real culprits, upon the *Tread-Wheel*, the magistrates subject the oppressed paupers to it in their stead, thus throwing the penalty upon the innocent, and making the farmers suffer by a vicarious punishment. That the inmates of the House of Industry should be somewhat discontented and prove malapert to such a decision is not much to be wondered at; but there is no small marvel in the sort of compact between the two parties by which a truce has apparently been obtained, though the warfare does not seem yet to have terminated altogether. On the side of the magistrates it is admitted that they have over-acted their part: and conceded that the refractory paupers be recalled to their own home, and no longer be punished against *their own will*; while on the side of the paupers a consent is given to be punished as long as the magistrates choose, provided the first of the two contracting parties are DULY PAID FOR IT.

It is possible, however, that in this singular compact the firm and laudable conduct, and the wise and warning voice of the small minority of the *Quorum* who ventured to oppose this extra-judicial rigour from the first, contributed not a little, to take off something of its severity, though at a great expense of gravity and consistency. For, in this Division, it is well known, that an individual (in some respects not dissimilarly circumstanced to the writer of these pages on a late occasion) when it was resolved to introduce the same instrument of terror into a prison of which he was a *Visiting Magistrate*, withdrew from the duty, leaving the charge of the prison wholly to the advocates of the new system; the seceding Magistrate resolutely declaring (as it is stated) that he never “would consent that any one “should be committed to prison who was charged with “no other offence than refusing to work at the *Tread-Mill,\* unless under the compulsion of a mandamus.*”

This magisterial schism was, indeed, greatly to be lamented; but it was, perhaps, still more to be deplored that, in this instance, the very benevolent chaplain to the Cosford House of Industry, himself also a magistrate of influence and consideration, performing, moreover, his duties gratuitously, the value of which is sufficiently appreciable from the recollection of the embarrassed state of the Division, at the moment, and the readiness where-with the offer was accepted by his brother magistrates,

\* At the last *Michaelmas* Quarter Sessions the Court having resolved to introduce the *Tread-Mill* into the Houses of Correction in the *County of Somerset*—the present writer considered it incumbent upon him to address the Court, on the succeeding *Epiphany* Sessions, requesting to be no longer placed in the responsible office of *Visiting Magistrate* of the prison of *Shepton Mallet*.

should have, hereby, felt compelled to abandon the chaplaincy and resign his sacred function among the poor, by whom he was so justly beloved. He seems indeed to have been sensible of that utter incompatibility which has already been pointed out between the *Tread-Wheel*, and the Christian ministry ; and how vain and even absurd must be the attempt to enforce the mild precepts of the Gospel under the influence of so terrific an agent.

In matters of police, as in those of every other kind, how readily does one wrong course lead on to another ! and how well-founded is an early remark of the present writer, that the *Tread-Wheel*, if persevered in, must prove “*a stepping stone to the Poor-house*. Let then the injuries which appear so frequently and so necessarily to follow upon the use of this complicated engine from its mechanism, and the morbid effects that cannot but result from the severity of its discipline—as they have completely driven it away from all employment in civil life, whether abroad or at home, whether as already observed, in the ware-rooms of the East-India House, or in some remote counties, where likewise, long before it was known to our prisons, it was attached to thrashing machines — drive it away also from both our Poor-houses and our Prisons. Let those whose indiscriminate zeal and love of novelty would still further carry on its employment into the former, take warning from the spirit of resistance which has already appeared in the single attempt here particularized ; and from the handle which such injudicious, and unwarranted exertions of power would unquestionably afford to the numerous and cunningly organized trains of the discontented and the disloyal, of exciting a general spirit of uproar and confusion from one end of the land to the

other. And let those who, with somewhat more semblance of legal authority, are still for continuing it in our prisons, reflect how far such authority is well founded : that this hazardous instrument has yet received no sanction from the legislature, which, with the sagest discretion, has thus far chosen to keep aloof from all recognition of its powers in the Gaol Bill which has now nearly completed its course through both Houses of Parliament. Let them timely consider that, in its effects, it is equally opposed to all the grand principles of natural, moral, and criminal law : to the first by its torturing the sinews and wasting away the strength of those who must hereafter depend upon their sinews and their strength alone for a supply of daily bread ; to the second, by that system of terror which not only makes no provision for, but virtually impedes all reformation of mind in a class that, by a different mode of treatment, might perhaps be excited to a love of industry and honest labour : and to the third, by its utter want of all discriminating power, and its essential limitation to one common form and degree of punishment for every description of delinquency. And, if these remarks be deemed too speculative and refined for practical and experimental use, let them, by a further study of the subject, convince themselves that, as the discipline of the TREAD-WHEEL is in direct variance, so the remarks thus offered are in direct coincidence, with the expositions of all our best practical lawyers, not one of whose writings can be turned to without upholding them. To give examples of this is almost superfluous ; yet the following from the justly memorable Blackstone, to whom, moreover, it should be recollected that we are indebted for the institution of *Hard Labour* for convicts,

as a substitute for transportation, may be well selected as a specimen, as it may well also form the close of these introductory pages. The writer has, indeed, preferred it to many other passages before him, as it will be found to combine, upon the same subject, the concurrent opinion of another great legal luminary whose authority is unimpeachable; and to come home by a strong *personal* application to the business and bosom of every individual in the kingdom.

“The knowledge of this branch of our Jurisprudence,—which teaches the nature, extent, and degrees of any crime and **ADJUSTS TO IT ITS ADEQUATE AND NECESSARY PENALTY**,—is of the utmost importance to every individual of the State; for as a very great Master of the Crown Law\* has observed upon a similar occasion, no rank or elevation in life, no uprightness of heart, no prudence or circumspection of conduct, should tempt a man to conclude that he may not, at some time or other, be deeply interested in these researches. The infirmities of the best among us, the vices and ungovernable passions of others, the instability of all human affairs and the numberless unforeseen events, which the compass of a day may bring forth, will teach us (upon a moment’s reflection) that to know with precision, what the laws of our country have forbidden, and the deplorable consequences to which a wilful disobedience may expose us, is a matter of universal concern.†”

\* Sir Michael Foster, Pref. to Report.

† Blackstone, Comm. Vol. IV. ch. 1. With which compare the extract already quoted from the Fourth Report of the Committee of the Prison Discipline Society, contending for the regulation of punishments, p. 14.

# Prison Labour.

No. II.

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*Copy of the original Communication to Mr. Secretary Peel.*

TO THE RIGHT HONOURABLE ROBERT PEEL, M. P. ONE OF HIS MAJESTY'S PRINCIPAL SECRETARIES OF STATE, &c. &c.

SIR,

I take the liberty to transmit to you, as presiding in the department of the General Police of the Kingdom, the inclosed extracts of a correspondence relating to the application of certain descriptions of PRISON LABOUR principally adopted as the means of punishment, but with reference to their relative effects upon the general health of those who may be subjected to them.

I thought it my duty to make an early communication of the original correspondence to the Magistrates of the Counties of *Middlesex* and *Somerset*, assembled in their respective General Sessions. The prevalent opinion, I am aware, is strongly in favour of that process, which this correspondence is not calculated to recommend. We are at present taught to hail a rapid reform in various classes of delinquents committed to our prisons from the influence of the TERRORS OF THE TREAD-MILL, but whether such result be sufficiently established to authorise a total exclusion of other modes of prison labour, still practically retained — and upheld by Magistrates of great experience and intelligence, may — be a subject of serious enquiry. It may become also a question how far any Magistrate, or even the highest Tribunal of Criminal Judicature is, by law, or in reason, authorised to resort to expedients of such a description as the *Tread-Mill*, if the opinions avowed in the adduced correspondence be of any validity.

Without presuming to intrude my own individual sentiments upon the subject,\* though the result of much attentive observation and inquiry, I think it my duty to state the fact, (and upon unquestionable authority,) that the *whole number* of prisoners at one time placed upon the treads of one of the cylinders in the House of Correction in *Cold Bath Fields*, were, by the *breaking of the cylinder*, precipitated *on their backs*, from a considerable height, to the floor. Nor will a close observation of the construction of the machinery put the mind at ease† by a conviction that a similar event may not be of frequent recurrence.—The

\* The greater part of the notes and observations were introduced in the copies circulated among the Magistracy *subsequently* to the original address to Mr. Secretary Peel.

† This apprehension has since been fearfully verified : *four accidents* of the same kind having occurred since the erection of this machinery at the House of Correction in *Cold Bath Fields*, and in the course of not more than as many months. In eight of the yards, (as stated in the Fourth Report of the London Prison Committee,) “wheels have been erected, so that, including “relays, upwards of three hundred prisoners may be kept in *regular employment.*” Now, this employment, consists in being attached, by the hands to, an *immovable* bar, while the forepart only of the feet only presses alternately on the projecting treads of the cylinder; thus supporting the weight of the body, and giving effect to the revolution of the wheel. This motion acts alone upon an *immense Fly*, in an outer court, with which the *axles* of all the cylinders are connected ; in fact, the *axles* being a *continuation of connecting bars of cast iron, screwed or otherwise fastened to each other.* No mill is there erected, nor any apparent preparation for any. The *mode of labour* is represented in the sketch (attached to this statement,)\* which is copied from the plate annexed to Mr. Cubitt’s own report of the structure and object of his machinery as erected at *Bury St. Edmund’s*. That erected at the prison in *Cold Bath Fields*, differs however, in some respects, from the representation in the plate ; the *fixed* bar in this prison being placed higher, had a *board* interposed between the treads of the wheel and the body, leaving only the space of two treads accessible to the feet. These treads are elevated between four and five feet from the floors of the gallries. On a fall from the treads to the floor, it is more than probable that the head or upper part of the back must first meet the ground. Of the complement of

\* The same representation is now given in the annexed Lithographic Sketch.

machinery of the *Hand-Crank-Mill* is obviously exempted from any such danger.

I have the honour to be, &c.

(Signed) J. C. HIPPISLEY.

*West Cowes, Isle of Wight,*  
12th October, 1822.

[*The concluding paragraph of the original Address to Mr. Secretary Peel, having relation to another question relating to Prison Discipline, at that time not under discussion, was omitted in the previous statement, but it will be introduced in the APPENDIX to these sheets.]*

\* \* \* The original letters of the several Professional Gentlemen, addressed to the undersigned, antecedently to the month of October last, were communicated to Mr. Secretary Peel; and were also read in the Courts of the same General Sessions above noticed, without withholding their respective signatures. From a voluminous correspondence of this description (in which was then found no diversity of opinion), the extracts of four letters only were originally introduced; Nos. I. and II. being from Physicians resident in the Metropolis, and distinguished by their talents and professional labours; and Nos. III. and IV. from Surgeons in considerable provincial practice, formerly pupils of St. Bartholomew's Hospital. The several writers,

320\* prisoners placed in the several wheels in the yards, 27 are employed upon the treads of each wheel, and 13 are off in succession. The whole of this machinery is kept in check, by the connecting cast-iron bars, extending nearly a thousand feet, from the *Fly* to the several cylinders, and constituting, as already stated, a continuation of the axles of these cylinders. Should either of the connecting screw-heads, or other bonds of union give way in the intervening space between the fly and the *first cylinder*, it should seem that the *whole* of the prisoners upon the treads must be subjected to be thrown off, with more or less individual injury. In the four accidents of this kind already alluded to as having taken place during the short period of four months, numerous very severe sprains and bruise were the result—though hitherto nothing more serious has occurred.

\* Now reduced to 240.

had no communication with each other with reference to the *subject-matter* of the correspondence.

The extract No. II., from priority of date, and the very high rank and long-recognised eminence of the writer, might claim a precedence of insertion ; but, as the general subject is *minutely* discussed in the following communication of the *7th of May*, and the subsequent extracts from the same individual authority, it has been considered more advisable to place them *together*, and let them take the lead as a comprehensive *professional statement* of the principal matter at issue. It is with regret that though the writer of the Letter, No. II. allowed a reference to be made to his authority in the antecedent circulation of the correspondence, he has not assented to the introduction of his name in a more avowed *publication*, especially as the short extract involves an essential point in discussion.

### I.

*Extract of a letter from John Mason Good, M.D. F.R.S.  
to Sir J. C. Hippisley, Bart. dated May 7, 1822.*

"The more I think about the two kinds of *Prison Labour*, I mean the *foot* and *hand* mills, the first of which we examined this morning, [*at the House of Correction in Cold Bath Fields,*] the more I am in favour of the latter ; and I cannot but earnestly wish, on the ground of humanity and public good, that you would inflexibly persevere. As a physician and physiologist, indeed, I see infinite mischief in the former ; and I am persuaded that no man who has studied the laws of health can recommend it.

"In order that exercise for men in confinement should be useful, the chest must have full play, and the limbs free motion. This is the grand and judicious principle in which all the athletic games of the ancients were founded—and we cannot improve upon it. Now, in *the foot-mill*, neither of these can take place : the prisoner treads by his toes, and hangs by his hands. His motion is the uneasy one of

a man for ever going up hill ; and hence the chest is sent forward and contracted, instead of being thrown back and opened, in order to maintain the line of gravitation ; while as his *heels*, which ought to bear the chief weight of the body, *never touch* the treadles, unless twisted on one side, the muscles of the back of the legs are constantly strained by stretching, and the fore-part of the legs are as much forced into too close a contact. By this position he is not only deprived of all the healthful advantage of athletic exercise, but is perpetually twisted and tortured in various organs ; is fatigued from the outset ; and perpetually in danger of cramp, breaking the strong *Achillis tendon*, and, by *weakening* or *bursting arteries* and *veins*, of forming *aneurismal* and *varicose swellings* in the legs. His arms, at the same time, are placed in a situation gradually *to lose* whatever power of motion they may formerly have possessed, from their fixed and unvarying position : and, as extremes are apt to meet, these limbs, by being accustomed to inertness, will become just as useless as the legs. He may, indeed, grind grain into flour, like any other mechanical weight, but he is reduced to a mechanical weight alone, *at a vast expenditure of animal health and strength.*"

" The *Hand Crank-Mill*, on the contrary, a plan of which you showed me, [*sketched from one erected in the House of Correction at the Devizes, in which sixteen persons work at once,\**] gives every thing that **GYMNASICS** can require. By having *a firmtread on the ground*, the body may be thrown into any direction, and the feet may divide its weight, and take it alternately at option ; and the labour may also be regulated with more or less severity, at the discretion of the superintendent ; and, even at the same instant, a greater or less degree of labour may be distinctly enforced upon *individuals*

\* Some time since the great eventual benefit of occasionally shifting the arms was suggested, by the writer of these pages, on a view of the machinery above-mentioned ; whether it has been practically adopted in this prison is not known. Nothing can be more simple in application ; and the relative proportion of time can be easily adapted to the *quantum* of labour.

working at the several cranks. By the rotatory action of the cranks, followed closely by the arms, the chest is alternately thrown back and advanced, all the muscles of the upper limbs are put into action, and the prisoner will render his joints more lithe and plastic than ever;—and may, perhaps, call many muscles into action, and employ them with ease, whose existence he has never before dreamt of. And, which is of great importance in a moral and civil point of view, he will hereby be far better prepared for a multitude of handicraft trades—as *sawing, cleaving wood, working in various branches of the rope manufactory or ironmongery, &c. &c.*—than before he went into prison.”

*Extract from the same ——, dated October 21st, 1822.*

“ I have been informed that *female* prisoners are also sentenced to the TREAD-MILL. If this information be correct, there are other evils, and of a still more serious kind, to be apprehended, than I have yet put down in the catalogue; for no pathologist can have a doubt that the *violent exercise* hereby inflicted on them, coupled with the pain which it must excite in the loins, and many of the *abdominal muscles*, will, in many cases, accelerate the period of *menstruation*; and even where it does not force it forward before its proper time, render it excessive if it should not amount to a *flooding*, and thus pave the way for many of the most distressing weaknesses with which females can be afflicted through life, as *fluor albus, uterine polapse*, and inability of walking—even if the life itself be not in some instances endangered; while, if the prisoners be in a state of pregnancy, the cruelty of employing them in such a labour must be so obvious, that I take it for granted a general order must be every where given for their exemption. So that the only females who can thus become subjects for the TREAD-MILL, under any circumstances, will be reduced to girls of too tender an age to render it expedient thus to expose them, and decrepid old women who have hardly a leg to stand upon.”

*Extract from the same ——, dated Nov. 9th, 1822.*

" In my first communication I took a brief view of the more striking mischiefs to which it appeared to me that the prisoners, confined in the House of Correction in Cold-bath Fields, are exposed by working at the *Tread-Mill*, and compared such effects with the benefits which the *Hand-Mill* seems fairly to offer in their stead.

" I have since paid another visit to the Prison, for the purpose of ascertaining how far these predicted mischiefs are supported by facts which may since have occurred; for I should lament exceedingly to excite any unnecessary alarm, and especially after the great expense that has already been incurred on that subject in various counties. And hence, for the purpose of more fully satisfying myself, I requested Mr. Cole, the Surgeon of the Northern Dispensary, to accompany me, whose official situation leads him to become particularly acquainted with injuries sustained by mechanics from an excessive, or any other improper, exercise of the muscular powers; and I solicited, also, the attendance of the intelligent Surgeon of the Prison at the same time.

" There are six or more mills, or rather mere cylinders, distributed through the different yards in this spacious Prison, but as they are of the same kind, I examined only one of them. The large cylindrical wheel, surrounded by its *treadles*, or *foot-boards*, is divided by a wall, that runs right and left from its centre, so that one part of the barrel is placed in one yard, and worked by men, and the other in the adjoining yard, and worked by boys at the same time, who are thus properly separated from the former. They work in sets, each of two divisions, of *twenty-seven men or boys*, the one taking place of the other *every quarter of an hour*, or after the wheel has made *four revolutions*; the *task time*, thus alternated, embracing *rather more than an hour*, and renewed *four times a day*. This discipline, however, has only been carried into effect for a few months; so that

the labour has thus far been unproductive ; nor is there yet any *mill* attached to the machinery.

" I enquired of the Surgeon of the Prison, as also of two intelligent Keepers who accompanied us to explain the nature of the machinery ; what had hitherto been the actual effects of this labour upon the prisoners ; and whether they were in the habit of making any general complaint of its being painful or injurious to them ? The Surgeon in attendance concurred in admitting ' that they complained in general of *stiffness and numbness in their hands*, by which they *hang*,\*' as much as they are able, and of *pains in their loins, and in their legs*, both over *the heels and instep* ; and that they are almost invariably thrown into a *profuse perspiration* in the course of *a quarter of an hour's task-work*, so as to induce them to drink very largely of *cold water*, the only beverage they can obtain, as soon as their turn is over.'

" We were, also, informed by them, that prisoners labouring under *ruptures*, or a *tendency to* such complaint, or to *consumption*, are exempted from working, from a prudent regard to the mischief which might follow under such circumstances.

" The first part of this reply fully justifies the prediction of all those maladies which I have glanced at in my former letter ; while the whole leads to an anticipation of many others—such, more especially, as *severe and chronic lumbago*, totally incapacitating them for future labour ; various *nephritic affections*, and *disorders of the chest*, accompanied with *difficulty of breathing* ; not to mention cases of *rupture* in those who, though not actually suffering from it, have a *predisposition* to such complaints : in all which apprehensions, Mr. Cole, who accompanied me, most decidedly coincides. I enquired of the Surgeon of the Prison to what

\* The above description does not precisely apply to the *representation* in the Plate but at the Cold Bath Fields Prison the bar is so placed that many were observed to *hang* the whole weight of their bodies upon it.

ause he ascribed the violent perspiration which is so soon excited among the prisoners ; and his reply was, ‘that he apprehended it was owing to the *very low diet* on which ‘they are fed.’ I have no doubt there is something in this ; but by far the most operative cause is the *uneasy and tortuous motion* into which *their limbs are necessarily thrown during their treading*, or rather those limbs which have *any motion* at all ; for we always find that painful or *unwonted motion* makes a man perspire, and fatigues and wears him out, incalculably sooner than the same quantity of motion that he can endure without inconvenience, or for which his limbs are naturally formed. The tendency, however, to perspiration, under so irksome a discipline, is, in my opinion, in itself, but still more in its consequences, one of the worst evils to which the *Tread-Mill* gives birth. For, it not only produces a very *morbid expenditure of animal strength*, but by impelling the prisoners to quench their thirst with large draughts of cold water in such a state of heat, and while they are standing or sitting still in the open air, cannot fail of exciting colic, or other affections of the stomach and bowels, and, in the winter time, very generally *rheumatism and fevers of various kinds.*

“ The general mildness of the weather has hitherto prevented much chance of the two last complaints ; but on asking the Surgeon whether he had observed that the bowels are hereby, at any time, affected, he candidly confessed, that ‘*they frequently are* : that the proper action of the intestines is, in numerous instances, torpified and impeded ; and that a costiveness follows, so obstinate as to be removed with great difficulty. There is, however, another evil, and of a very serious nature, to which the *complicated construction* of the machinery itself is exposed, and that is, the *danger of accidents* from some part of it suddenly giving way. I have heard of the prisoners having been suddenly thrown upon their backs, *in one or two Mills, in the country*, from a failure of the foot-boards or treadles ; while in the *Cold Bath Fields Prison* the same effect has

occurred *four times* during the short space in which this machinery has been worked, though from another and more serious cause, namely, a sudden snapping of the *iron shaft* or axle of the cylindrical wheel. In both instances, all the men at work in one yard were thrown off, and precipitated on their backs, while all the boys at work in the opposite yard had their toes crushed by the sudden check, and consequent retrogradation of the wheel. The weather was mild at these periods, and no severe or protracted accident occurred in either instance; but should the same happen often, a like good fortune is not always to be expected, and particularly in cold and frosty weather, when the bones are more friable, and the general frame more easily affected, in consequence of which such accidents would, very probably, be accompanied by fracture or more perilous contusions.

“ Finding that my information before stated was well founded, and that the TREAD-MILL is here, as well as in various other prisons, employed as a punishment on the *female* side, I was anxious to learn how far the maladies I had pointed out as peculiarly likely to follow among the confined women, had thus far been superinduced; and especially whether the *periodical discharge* had in any instance been brought on before its time, or had even been rendered excessive. And on enquiring upon this point, it was no longer concealed from me that such accidents had several times occurred, and in most instances with circumstances of great indecency; for, from the suddenness with which the evacuation returned, the effect was rendered obvious, and the foot-boards stained with its flow in the presence of the male keepers. Can any thing be more disgusting to a delicate and feeling mind, or more calculated to oppose all that return to a sense of modesty and moral virtue which it is the direct foundation of the prison discipline of our own day to inculcate and cherish! The consequence of such grievous accidents is, that at present there is a great difficulty of knowing how to act in regard to female prisoners thus sentenced to the Wheel. It was at first humanely deter-

mined that none should mount the treadles at such a period; but this regulation has enabled the women so largely to avail themselves of the indulgence, by affirming that they have reached such period, or are closely approaching it, that the labour is, in the present day, kept up with great irregularity. As to pregnant women, I understand they are all most properly allowed a qualification of exemption.

"It is much to be lamented that no *board of medical practitioners*, and so far as I can find, *no medical authorities whatever*, were consulted upon the nature of the machine, and its application to human labour, *on its first suggestion*; for had such a step been adopted, I am persuaded the **TREAD-MILL** would never have been brought into use, but have yielded to some simpler and less exceptionable contrivance; and, I repeat it, that I know nothing so well calculated for the purpose as the *Hand or Crank Mill*; at which, under certain regulations, even invalids might work, who could not work at the Tread-Mill; and which may not only be kept in action for a longer period of time with far less fatigue and exhaustion; but may also be so regulated as to *produce a graduated scale of labour* to any extent, where punishment is the object, in a far greater degree of severity than the *Tread* machinery is calculated to afford.

[*Copy of the note of Mr. Cole, Surgeon of the Northern Dispensary, noticed in the preceding extract, dated Nov. 6th, 1822.*

"Having, this morning, had an opportunity of observing the men employed on the *Tread-Mill* at the *Cold Bath Fields Prison*, I fully agree in the opinions subjoined to the address on that subject, particularly as expressed in the extract from the letter marked No. I. of 7th May, 1822. One consideration occurs, namely, that men who have *ruptures*, and are deemed incapable of working at the *Tread-Mill*, may, if they wear trusses, be employed at the *Hand-Mill*, and I am also of opinion that where there exists a predisposition to this complaint, the *Tread-Mill* is likely soon to induce it."]

*Extract of a Letter from Dr. Good, to Sir J. C. Hippisley, Bart. dated Nov. 23, 1822.*

" I have been asked, since my last to you, whether any of the accidents or disorders which the TREAD-MILL threatens to those who are obliged to submit to its discipline, are *equally threatened by the HAND-MILL!* To which I have had no hesitation in replying that they are not only *not equally threatened, but not threatened at all.* The two kinds of exercise are opposed to each other in their very nature, and hence their results must be different. In the one case the body is thrown into *distorted and painful attitudes*, and many of the muscles into movements for which they were *never designed*, and in which they *never can work but with mischief, or a chance of mischief*, to themselves ; and hence indeed the disorders that have happened, or that may happen, if the system be persevered in.

" In the other case, the body is thrown into no attitude but what is *easy and natural to it*, and the muscles into no movements but *what they are designed for*, and in which they can work with comfort. There is, hence, no ground for accidents or disorders ; and we can as readily foresee that here they will not happen, as we can that they will happen, under the contortion of the preceding machinery. But this is not all : the exercise of the Hand-Mill, if not carried to excess, will not only *not expose the prisoners to injuries of any kind*, but will *positively increase their health, strength, and alertness.* For it is one of the chief laws by which animal are distinguished from mechanical organs, that the more the former are employed, short of excess, the stronger instead of the weaker they become, and the better able to endure the same or even a longer exertion.

" This law, however, is limited to such employment or actions as *they are naturally fitted for.* And it is necessary the limitation should be attended to ; for I find the same principle recognised and erroneously applied to the unnatural and tortuous actions that take place in the Tread-

*Mill*, not only by those who advocate it, but by several who oppose it; insomuch that it has been stated in some of the *Public Journals*, "that however inconvenient and troublesome the labour in this machine may be to *fresh men*, they will bear it without pain or irksomeness when accustomed to it." This is a gross mistake, and proceeds altogether from a wrong application of a right principle. It is possible, that, from a greater and more than ordinary pliancy of muscular fibres, and a firmer texture of health, such an effect may hold in a few cases;\* yet it will be found in all others, and may be laid down as a general rule, that the first mischievous influence will not be recovered from by a repetition, but will go on from worse to worse, till some one or other of those maladies are actually produced to which such a machine predisposes from its earliest use.

"Among the objections which you say have been started against the *Hand-Mill*, it is asserted, "that its labour is so pleasant as to become rather a matter of desire by the prisoners than of aversion, and consequently that it is not calculated to answer the end of a punishment." This, in fact,

\* It was observed by a Gentleman, who, some months since, inspected the *Tread-Mill* at *Bury*, "that one of the prisoners was in the habit of turning his back to the wheel, and supporting himself on his heels, while he platted straw for hats, with great gaiety of demeanour; and that he had been in this practice for more than a year;" the inference drawn was, that, as a punishment, the labour could neither be oppressive nor injurious to the frame. That the practical dexterity of a seaman (for such, it is understood, this man was) could readily accommodate itself to such a position, and support him by the *heels* instead of the *toes*, without the aid of the *bars*, upon the projection of the treadles, would not be a matter of surprise to those who have witnessed the adventurous hardihood of this class of persons, reversing their natural position altogether even at the extreme point of the mast head. But, assuredly these facilities are little consonant with the *description and object* of this species of *prison labour*, as held out by its introducers and advocates. The whole practical scenery of these Mills has not been unaptly considered as a novel sort of *pillory*, which seems to have been somewhat unopportune introduced, now that the Legislature had considerably reserved these *degrading* exhibitions for the punishment only of crimes which were recognised as impenetrable to a sense of shame, or the

is the most effectual answer that can be given to those who doubt whether it may not expose men to the same evils as the *Tread-Mill*; for as these objections are *opposite*, they cannot both hold, and the one must necessarily destroy the other.

" There is, however, some truth in the remark, and as far as it goes it is a truth of a very valuable kind. If the object of imprisonment be to reform men, and fit and prepare them for better habits and more usefulness hereafter, a labour of this kind, whieh *they like*, whieh they find serviceable to their general health, and which progressively prepares them for industry hereafter, cannot but be of infinite value. But were the object even to *punish* rather than to *reform*, this plan might as effectually produce such punishment as the *Tread-Mill*. And that in two ways,—for the labour may be continued till the workers are worn out with fatigue; or it may be made heavier, by allowing not more than half the number ordinarily employed to turn the mill at a time, so that one man must put forth the strength of two.

*Extract of a letter from the same —————, dated Nov. 25th, 1822.*

" The substitution of the *Capstan* in placee of the *Tread-Mill*, whieh you tell us is in contemplation in one of your Western Counties, is unquestionably a step on the side of humanity, as it gives the prisoners a sure footing on *terra firma*, instead of a partial footing on a *narrow inclined plane*, and as it finds work for *their hands and arms*; but, in

hope of reformation—in fact, for the different gradations chiefly of *deliberate perjury*. It is not a consolatory reflection, (especially in times like the present,) that the inflictions of any part of the criminal police should be thus held out to public ridicule on the stage—the Roman Satirist indicated a similar course,—

————— *ridiculum acri*

*Fortius ac melius magnas plerumque secat res.*

various important points, it is not to be put in competition with the labour produced by the *Hand-Crank-Mill*; for, first, the motion is of a nature which does not allow that variety of action, and that shifting of muscle for muscle, and limb for limb, which peculiarly characterises the last, *when duly put in action*; and consequently it must sooner exhaust the strength, and can never be rendered so productive. And secondly, which is of still greater importance, though it find sufficient work for the bending or *flexor muscles*, it finds but little for the *extensors*, and especially for the *extensor muscles of the chest*; so that the process of *aeration*, or a free and healthful *inhalation* of pure air, and *exhalation* of that which requires to be thrown out, must necessarily be impeded, and the general vigour of the frame which mainly depends upon the perfection of the respiratory function, be perpetually put to a risk. But, on this part of the subject I send you an extract of a letter from a professional friend, whose elevated rank, experience, and character, would add all possible weight to his opinions, were I at liberty immediately to make use of his name.\* [The extract is annexed.] He views, you will perceive, *in extenso*, the full scope of eventual mischief.

Other evils might be pointed out, but these, I apprehend will be found sufficient. The following may, perhaps, in few words, be regarded as a fair estimate of the merits of the *three kinds* of machinery now before the public. The *Crank Hand-Mill* is founded upon the *truest principles* of *natural motion*, and affords every thing that is contributory to health. The *Capstan* follows up these principles only *partially*, and hence only consults some of the laws of health, while it is in direct repugnance to others.—The *Tread-Mill* opposes equally all the principles of animal motion, and all the laws of animal health we are acquainted

\* Sir W. Blizard, President of the Royal College of Surgeons, and Honorary Professor of Anatomy and Surgery in the same college; also Consulting Surgeon of the Marine Society: who has since allowed his name to be quoted with the extract of the letter.

with: it subverts the beautiful and established order of nature, makes the hands change place with the feet, and the arms with the legs: and, while every human being, without the walls of a prison, rests upon the latter, and works with the former, compels the Vagabond and the Convict to work with the former, and rest upon the latter."

*Extract of a Letter from Sir W. Blizzard, President of the College of Surgeons, adverted to in the preceding Extract.*

[“The communications No. I. and II. contain also, principally, my own anatomical and physiological ideas of the comparative effects of the two species of labour. I will, however, add one or two other remarks. On the TREAD-MACHINE the *abdominal muscles* are kept in constant action, and the *extensor muscles of the back* always on a stretch. Now for free respiration the *abdominal muscles* and *diaphragm* should act alternately. *Free respiration* is necessary for the due *aeration of the blood*; and a proper aeration of the blood, by the vessels of the lungs, is required for the proper condition of the blood, with reference to *every important function of the body*, and forms the most powerful preventive of *Typhus* fever. For the foregoing reasons the exercise should be, as much as possible, in the open air.

“The preference expressed in the extracts is founded well on the consideration of fitting the *muscular power of the arms to future labour*, and, hence, the more ready performance of duties for subsistence, and a preventive of inducement to criminal means of obtaining it.

“The HAND-LABOUR can be better graduated to all the relative circumstances of age, condition, health, disease, power, &c., than that of the feet. The favourable bodily effects recited will produce equal benefit relating to the *brain and intellect*, and may even so far impress the mind, as to be conducive to an alteration of evil disposition, thus answering the great ends of such confinement. The Prison

labour on this account, when humiliating, should not be public, for shame is of such a nature that, when wounded to a certain degree, despair may be the consequence, and the unhappy creature be impelled even to the most shocking acts.]

*From Dr. Good, to Sir J. C. Hippisley, Bart. dated Dec. 3d. 1822.*

" There is no end to answering all the follies and caprices to which the *Tread-Mill* must give rise from its intrinsic demerit. It may be altered again and again, and varied *ad infinitum*, but whether the supposed improved form which you advert to, as taking place in a Northern County\* or any other, become the rage of the day, it must still be *essentially* objectionable, as founded upon an essentially wrong principle, and which therefore no modification can right : I mean that of subverting the order of nature, and making the *feet*, take the place of the *hands*.—In the scheme you allude to there is this additional absurdity, that while the *feet* perform all the labour, the hands and arms are in utter idleness. This form does very well for turn-spit dogs and squirrels, which use their fore-feet as well as their hind ; but it is most preposterous for *mankind*, to say nothing of the moral effects of degrading them into mere *automata*.

" The question which, I understand, is very often put forth, whether any of the maladies that are predicted so freely and confidently by medical practitioners against the *Tread-Mill* have any where *yet* taken place, is at first sight plausible ; but it is nothing more, for it will not bear reflecting upon for a single moment. In the case of *women*, the mischievous effects have been *actually proved* : and hence, at this momeut, the *Tread-Mill*, as I am told, is abandoned at Coldbath Fields, as far as relates to them. For the same reason it is equally abandoned as to all those who have ruptures or *hydroceles*, or an obvious *tendency* to such. But by far the greater number of the predicted

\* By which the men work in the inside instead of on the outside of the wheel.

evils are such as could not have taken place from the shortness of the time the machines have been at work in any prison ; but which, to the eye of the pathologist, are as certain as if they were at this moment in full force. Such, I mean, as *lumbago, weakness of the kidnies, cramps, rheumatisms, and stiff joints of all kinds, as well of the hands from an uniformly fixed position, as of the legs and feet.* These are all chronic affections, and may require years before they fully develope themselves. How long is it after the *liver* is first affected, before the structure of the organ becomes, in many cases, seriously injured, or the general health destroyed ! The *poison of lead* is often operating for years upon *painters*, before their *limbs and bowels are rendered paralytic* ; and the worn-out husbandman that is bent double with *cramp and rheumatism*, is never attacked suddenly, but slowly and insidiously. Yet in all these cases the discerning physician beholds the result as clearly from the first, and before a single complaint is uttered, or even felt, as when the mischief has worked itsclf into maturity ; and to his warning voice the intelligent Magistrate will yield as readily, and while the evil may be prevented, as to a sight of the evil itself, and when yielding can be but of little use. The grand evil indeed is, as I before stated, that this mighty and monstrous maohinery should have been at any time assented to without due consultation with medical authorities, whose opinion ought to have been taken, and acted upon, although it could in such case only have been given *prospectively* : and what is the value and character of that argument which contends that these machines are now at work upon *experiment*,—and to put the *concurrent opinion* of Physicians and Surgeons to the test ! Such is the nature of the labour that no committee of magistrates chooses to risk its continuance for more than a *quarter of an hour* at a time, and at Edinburgh for more than *seven minutes and a half*. What is the cause of this limitation ? The question is of great importance ; and when candidly examined, all controversy must, I apprehend, be at an end."

## II.

*Extract of a Letter from\* ———, M. D. F. R. S.  
to Sir J. C. Hippisley, Bart. dated April 8, 1822.*

“ I cannot give you an opinion, as a *mechanic*, upon the comparative merit of the two Mills; but the more that *exercise is extended over the body at large, comprehending both the arms and legs, it is more likely to be beneficial to health!* ”

## III.

*Extract of a Letter of Mr. Farnham Flower, Surgeon,  
of Chilcompton, Somerset, dated April 14, 1822.*

“ Since I had the pleasure of seeing you, I have given my attention to the subject of the comparative merits of the *Hand and Foot Mills*, and have not the least hesitation in pronouneing the *Hand Mill* to possess many and great advantages over the *Foot Mill*, the former embraeing every means of giving healthful exertion to the frame, by bringing every set of museles into regular exertion, and more or less, as may be thought advisable; whilst the *latter*, from the position in whieh the individual is placed to work the Mill, (by holding the bar to enable him to impel the wheel with his feet,) must necessarily eonfine the action to the museles of the abdomen, lower extremities, and *flexor muscles* of the arm, leaving the *extensors* (those important museles that *straighten the arm*) entirely and most injuriously out of action. In fact, a stronger proof, also, of the distress arising to the museles of the thighs and loins, cannot be more strongly marked, than by instaneing the ineonvenienee oceasioned by aseending a long flight of steps: such must be the case with the *Foot Mill*, as the same museles are brought into action in both eases. Again, the person

\* It is to be regretted, that from the unsettled state of the question at the present moment, the highly distinguished Member of the Royal College of Physicians who has thus favoured the undersigned with his opinion upon the *material point at issue*, should have an objection to a *printed circulation* of the extract with his name connected with it.

missing his footing, from inattention or other causes, might experience the most serious mischief from a violent collision with the projecting ledges of the wheel, or from a fall to the bottom."

" Independently of the objections I have stated, I consider RUPTURE to be a very probable consequence of the *long continued action of the abdominal muscles*; as from the nature of the impelling force, it is *impossible the individual can act, with effect, but in one position*; whereas in the *Hand or Crank Mill*, the position of the body may be varied without impeding the progress of the mill. There is also another disease likely to be the result of such unvarying exertion of the lower extremities—I mean a VARICOSE state of the veins of the legs," &c. &e.

*From the same —————, dated Nov. 29, 1822.*

" I do not find, from any information I can collect, that there is the least reason to alter my opinion expressed in my former letter; on the contrary, I am more convinced that the *Tread-Mill* is a species of labour by which the *muscular fibre* may be *most seriously injured, if not rendered totally unfit* for any of those employments to which individuals (the unhappy inmates of gaols) are obliged to have recourse for their daily support. You ask me, what I consider the average of *ruptured men*? Some say one in seven: but, to be beyond the possibility of contradiction, I will say one in ten, as applying to the labouring classes; though in the middle and higher orders, the proportion, of course, is considerably less. I mention this difference to shew that it arises from the greater bodily labour in one than the other; and may exemplify it by observing that ruptures are more prevalent among thatchers, and masons' labourers, than any other description of men; their mode of labour *upon ladders* corresponding so much with that of the *Tread-Mill*, we shall find the same muscles employed, and consequently have a right to infer that the same effects will be produced.

—Surely this of itself is a *reason for pausing*, before prisoners be consigned to a labour, the effects of which may totally incapacitate them for future exertion. Of course, the object in the erection of either mill is the infliction of punishment by ‘hard labour.’ In such a view I must contend, that the Hand Mill possesses a most decided advantage in the *quality* of that labour, and the means of regulating it, without distress to the constitution—beyond what the Tread-Mill possesses. All men having a *tendency to rupture* (as I before observed to you) must assuredly suffer by labour upon the *Tread-Mill*; and particularly *tailors* and *shoemakers*, by the sudden change from a sedentary to so active and laborious an employment. And, with respect to *females*, the *Tread-Mill* must, to the minds of professional men, present dangers of a most formidable aspect; especially in cases of such as have borne children!”

## IV.

*Extract of a Letter of Mr. Hickes, Surgeon, of Bath,  
dated April 13, 1822.*

“I have attentively examined the sketch and the account accompanying it, [annexed to the Report published by the Society for the improvement of Prison Discipline, 1821] and I am of opinion that the mode of labour is highly dangerous, and must eventually operate alarmingly upon the constitution, not only by causing a counter-action of the muscular fibre, but operating in a particular manner upon the nerves, more especially upon the *crural* nerve, this nerve being formed by the nerves of the back. I have experienced, in my practice, a similar effect among mechanics, by the turning of the *Lathe*.”

*From the same —————, dated 7th Dec. 1822.*

“I have no reason to alter my opinion relative to the comparative merits or effects of the two kinds of *Prison Labour*. The *Hand-Mill* must claim a preference, not only

to the *physiological*, but to every well-thinking mind. I do not see that it is necessary to add any thing to my former opinion to give it strength,"

## V.

*Extract of a Letter from Mr. Charles Day, Surgeon, of West Cowes, Isle of Wight, dated Oct. 31, 1822.*

" Since our conversation, yesterday, on the subject of the *Tread-Mill*, I own I am disposed to look even beyond the scope of those facts and very natural deductions, introduced in the correspondence which you have transmitted to the Secretary of State, and to which, as a professional man, *I must assent*.—But, have we not reason to fear, likewise, a comparatively cnfeeblcd race, springing from the injured health and wasted limbs of many of those unfortunate beings who may be exposed to this impolitic discipline? For, may not the seeds of decrepitude and deformity thus become, to a certain extent, the inheritance of a wretched progeny? Or, will the Physiologist, or Pathologist, assure us, that such results, from such causes, are not probable?—Be it, Sir, as it may, you have justly observed that it is a subject of serious enquiry, one, indeed, in which the calculations of the political economist, as well as the feelings of the friend of humanity, are deeply interested."\*

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In addition to the preceding *professional* references, it would be difficult to suppress the concurring sentiments of one of the most experienced provincial Magistrates in the kingdom, and whose opinions, in that character, have not unfrequently been noticed by high official authorities.†—

\* Although the suggestion constituting the principal subject of this extract *may be considered as a mere hypothesis*, the common observer in life will not want evidence on the affirmative side of the position, and even beyond the pale of the human species. In the classic *adage* of antiquity—“*Fortes creantur fortibus*”—the Poet is abundantly supported by the researches of the *Physiologist*, and by the obvious evidence of facts.

† The Committee of the Society for the improvement of Prison Discipline has not been the least forward in recognizing the weight of this authority.

" All things, (he observes,) go by fashion.—The *Tread-Mill*  
 " is so much sanctioned by popular opinion, as a new mode  
 " of punishment, that the philanthropy of the day does not  
 " recoil at it; and it is to be carried on throughout the  
 " Prisons, without consideration; nay, against a prudent  
 " one: presently we shall find the impropriety of it appealed  
 " against, and voted cruel, dangerous, and the like: and it  
 " will be ordered to be laid aside as disgusting, and un-  
 " suited to the age we live in, and to the humanity due to  
 " prisoners!"

" The *Hand-Mill* (I agree with you) is free from all such  
 " complaints, and the labour of it may be increased to any  
 " quantum of power necessary to produce hard labour, or be  
 " regulated to any degree of wholesome exercise. Can any  
 " one, who will exercise his reason by the help of a little  
 " anatomical knowledge, ' halt between the two opinions ?'  
 " —The first dangerous result from the *Tread-Mill* will open  
 " the eyes of the blind and unthinking."

In their Third Report, page 10, is the following paragraph.—" The Committee have much pleasure in quoting the valuable testimony of that experienced Magistrate, Sir JOHN ACLAND; who, in his evidence before the Gaol Committee of the House of Commons, observes, ' PRISON LABOUR is the ground work of all improvement, of general tranquillity, and hope of reformation in a prisoner's habits of life and disposition of mind. Give a prisoner *action by labour and employment*, and it will give him a determined direction towards a better system of life: industrious habits must be created, be the expense what it may; and the moral effects produced will compensate for all numerical loss that may be sustained.' Now, may it not be asked at the present moment, without the imputation of "absurdity," whether this "action by labour and employment," so creative of "industrious habits," is really to be discovered in the exclusive application of the toes to the Tread-mill?—and in the fruitless attempts of "walking up stairs," but not so fruitless in casualties, in "dropping down to the floor below?"—In the same Gaol Committee of the House of Commons,\* the evidence of the undersigned also appears, reciting the results of *Prison Labour* in the House of Correction at Shepton Mallett, in the advancement of which, too, Sir J. Acland was originally not a little instrumental. But, so far as the question turns upon Mill Labour, the decision must be made between the *Hand* and *Foot* Machinery.

\* Vide Appendix.

Now, four such results\* so rapidly succeeding each other (in little more than as many months) at the House of Correction in *Coldbath Fields*, — pre-eminent as it is in prison population,—might be reasonably supposed to have checked this inconsiderate ardour in the pursuit of such a novelty in the practical criminal Police of the Country. It may be assumed that the machinery in question had been erected with as much care and active superintendance as the nature and application of the design was susceptible of:— all the *cylinders* are applied, *exclusively*, to this description of prison labour—to *nothing beyond it*. As no *mills* are put in action by this accumulated mass of mechanical and vital power, no counteraction, from secondary causes, can be ascribed to countenance the failure of the machinery, and its painful results. Nor has there been any parsimony of the public purse evinced, inasmuch as the expenditure upon the machines, and sheds containing them, has, in this single prison, amounted to between twelve and thirteen thousand pounds;—and should any additional *mill work* be super-added, the extra expenditure must be in proportion both for the *machinery* and *buildings*. These facts are noticed as additional inducements for Magistrates to pause before measures, which cannot be considered of an indifferent nature, are ultimately adopted.

It was originally under such circumstances, and with corresponding impressions, that the undersigned considered it his duty to make an early communication of the *first part* of his correspondence upon this subject, to the General Session of the County of *Middlesex*, as well as that of *Somerset*—at the former, not indeed till the *machinery at Coldbath Fields* had been completed, so far at least as it is in its present state.

A public advertisement, by order of the last Court of Quarter Sessions for the county of *Somerset*, held at *Taunton*, has

\* To which we have now to add a fifth that has taken place within the last month.

since been issued, inviting “ tenders for eonstructing proper “ *Tread-Wheels, or Discipline Mills*, for the due promotion “ of hard labour in the *Houses of Correction* at *Shepton-Mallet* and *Wilton*; such tenders to be laid before the “ *Visiting Justices* of the said Houses of Correction for their “ consideration, and that the said Justees be requested to “ report their opinion thereon at the next Session.” The undersigned, not having attended at the *Taunton Sessions*, requested information from the proper offieer, and was informed, that the required tenders were to be considered as limited to *TREAD-WHEELS*, and that to *such only* the Visiting Magistrates were to confine their attention. The observation whieh must naturally occur is, that this construetion is not supported by the *letter* of the order, which is in the *disjunctive*,—“ *Tread Wheels, or Discipline Mills.*” Be that as it may, the Clerk of the Peace must have been well assured of the sentiments of the Magistrates in session by whose immediate authority the order was issued, whatever latitude of eonstruetion the Visiting Justices may hereafter assume, when ealled upon to acquit their duty with reference to this *most important subject*.

In the present state of the “ fashion of the day, sanctioned “ as it is by popular opinion,” it is the further intention of the undersigned to transmit copies of the preceding extraets of correspondence to the *Judges*, to the *Presidents of the Royal Colleges of Physicians and Surgeons*, and to the *Clerks of the Peace of the several Counties*. Having, in some degree, already aequitted his immediate duty to the provincial jurisdiction in whieh he has long partaken of the labour of his fellow Magistrates, and among whom he has also had the honour of presiding in the General Sessions of the County, and of filling the office, for many years, (as at the present hour) of a *visiting Justice* of the Prison containing the greatest proportion of commitments in the county, he now thinks himself ealled upon by a no less powerful impulse of conscientious duty, (espceially after his repeated personal examinations, in many prisons, both of the tread

*machinery* and of the prisoners subjected to its infliction,) —to resort to the present expedient,—most anxiously addressed to the serious consideration of the executive Authorities of the Criminal Police throughout the United Kingdom.

*Ston-Easton, Somerset,* (Signed) J. C. HIPPISLEY.

Dec. 14, 1822.

## SUPPLEMENTARY NOTE.\*

THE “*Fourth Report of the Committee of the Society for the Improvement of Prison Discipline,*” having been published since the preceding sheets were sent to the press, some observations may, not unopportuneiy, be now made upon the statements in that work, with reference to “Prison Labour” by the instrumentality of the TREAD-MILL.

It is impossible not to feel a high degree of reverence for this Society from the well-known excellence of the characters of its members in general, and from the great national object it has in view ; and on this account, much reluctance must naturally be felt in deviating from their opinion on any point connected with this important subject. The points, however, are but few, and it is to be hoped a common understanding may in process of time succeed even upon these.

The Report embraces a survey of Fifty-five Prisons of different kinds, without including North Britain or the Continent. Of these, thirty-seven are yet without the Discipline Mill-Machinery of any kind : six are trying the effects of the *Hand-Crank-Mill* of some kind or other ; three are erecting the *Tread Mill*; and nine have it already in active operation. It does not appear that any effort is making to employ the *Winch* or *Crank-Hand-Mill* on a sufficiently broad scale, with its facilities of adaptation to the purposes of increased or mitigated labour, so as to give a just estimate of its merit ; which is much to be regretted, as there is a fair probability, that, both from its *positive and negative qualities*, it would be soon called to supersede all the rest. The decided preference given to it in the new gaol at Hereford has been already noticed.

The strong current of attachment to the Tread-Mill labour which pervades the Report and its Appendix, in preference

\* The Supplementary Note was put in the same circulation among the provincial Magistracy as the preceding statement.

to any other mode of discipline, may have operated so far as to produce a disinclination to examine minutely into the nature of the *Hand Crank Machinery*, when employed on a large scale, and with all the advantages of which it is capable. So long as this prejudice or impression continues, it imposes on every one, and especially on every Magistrate, who is called upon to exercise his opinion on the subject, to peruse this generally interesting Report with no small degree of caution and reserve, before he enrols himself on the same side of the question, on this particular point of *Prison Labour*. Why, may it not be asked, are the various accidents, of the most serious complexion, passed over without the slightest notice whatever, that, in different prisons, have followed from the use of the *Tread Machinery*,—particularly those that have occurred from the breaking of the shaft, (or continuation of the axis,) four times in the *Prison of Coldbath Fields*, and the like fate that has occurred once, at least, at *Brixton*? Without the influence of such a bias, would it be conceivable that the Report, which correctly states that the *Tread-Mill* discipline was applied to females, in the former prison, should be silent as to the chief motives for its discontinuance ;—and on account of which it has been actually abandoned :\* Notwithstanding that in some other prisons it is known to be still continued even upon the persons of women.

It should likewise seem, from the first impression on the perusal of the Report, that wherever the number of criminals has been found to diminish, this has chiefly, if not wholly resulted from a DREAD OF THE TREAD-MILL. The Machinery, it must be confessed, is sufficiently, and more than sufficiently terrific, from the nature of its labour : and the inference is not altogether devoid of truth; yet as an historical fact it should be observed that many prisons without it have also evinced a very considerable reduction within the last two or three years,—as Newgate, page 42 ;

\* Vide Note. p. 13, where unhappily a resumption of this discipline for female convicts in *Cold-Bath-Fields Prison* will be found to have occurred.

*Cold Bath Fields, before the introduction of the Tread-Machinery,* page 45 : and the County Gaol of Shrewsbury, page 56 ; which may partly, perhaps, be ascribed to a more regular settlement of the immense mass of unemployed hands let loose on the close of the war, and partly to the general operation of Mr. Chetwynd's act.

And here it may be noticed, that in the preceding, or "Third Report of the Committee," when stating, page 16, that "the *re-committals* to inferior gaols vary from fifteen to fifty per cent." the following is introduced as the *average of re-committals* to prisons distinguished for their good management—*Preston, four per cent.; Wakefield, four per cent.; Bury, five per cent.; Devizes, the general average, three per cent.—for felons only one per cent.; Knutsford, two per cent.; Bodmin, three per cent.; Ipswich, three per cent.; Lewes, six per cent.; Worcester, two per cent.; Leicester, three per cent.* But it is not less fair to observe, that in the prison at *Bury, alone*, was the *Tread-Mill* at that time erected ; and that at the *Devizes*, and at *Worcester*, the *Hand Cranks* were in action ; yet even *Bury* does not take the lead of the enumerated prisons, for a relative *pauety of re-committals*, and, consequently there are other disciplines that may vie with the *Tread-Mill* even on this score.

But what is the amount of the medical evidence brought forward on the face of the Fourth Report in disproof of the evils which have been prognosticated, and *have in fact actually taken place?* It is a difficult and delicate office for a medical practitioner to give a direct and unqualified opinion upon this point before magistrates, who have once shewn a decided preference to the *Tread-Mill* discipline, and, in consequence, have entailed a very onerous expense on a county or district ; and whose well-intentioned views such professional gentlemen must be anxious to cultivate. The influence of this feeling, to a very remarkable extent, has not been concealed from the observation of the writer of the present note, and those who have accompanied him in this investigation. It nevertheless may be considered as

highly creditable to the medical profession at large, that not an individual has been brought forwards as having sanctioned the *Tread-Mill* before its adoption ; and only two, or rather only one, as yet stated, that has *directly* spoken in favour of it since.\* This Gentleman is the medieval attendant at the county gaol at *Bury*, who says, page 57, not only that he has “never experienced a single case where “the *Stepping Mill* was prejudicial to the health of the “prisoners,” but that “he does not *anticipate* any, and, on “the contrary, is of *opinion* that it *tends much to the general health of the prisoners.*” As a *fact*, even this gentleman does not venture to assert this, notwithstanding all the facts before him : but, in the midst of facts, he goes no further than an opinion : and to contend with a single opinion, especially when given under such circumstances, or a single anticipation, in direct opposition to the prevalence of such opinions as are known to be entertained and avowed by some of the first authorities in the medieval world, and in *direct opposition to the revolting facts stated in the preceding pages*, would be a task highly unnecessary. It does not appear that this *healthful* exercise is ever risked for more than a quarter of an hour at a time at *Bury*, notwithstanding no evil is thus anticipated from its use.

The only additional testimony to any thing like the same effect, is that offered by the medical attendant at *Northallerton*, page 68, who, however, *passes by the Tread Mill altogether*, but states, in the most general terms, that “not a man enters the prison who does not now leave it in “higher and firmer health on his liberation :” and this, notwithstanding the Committee complain, with great justice and humanity, that “most of the night-eells are “badly constructed,” without “lime-washed walls,” while “in some the bedding was on the floor,” page 69. The dispute is here, therefore, not more with this gentleman and his professional brethren, than with himself and the Committee

\* It must be observed that this statement is of a date anterior to the *Official Returns to Parliament*.

of Prison Discipline : for there can be no doubt, that if the iron race of prisoners at *Northallerton* are capable of deriving "higher and firmer health" from the character of their *cells* and *bedding*, so may they be from the character of their *exercise*.

How is it, that even at the celebrated prison at *Brixton*\* no medical testimony appears in favour of the *salubrity* of this punishment, either in the form of *fact, opinion, or even anticipation*? It should seem that but one reason can be given, and that an answer creditable to the prevalent feeling of the profession. In adverting to the testimony thus far advanced, and the effect produced on the Committee, the writer of this note, when he visited and closely inspected the *Tread-Machinery* at *Cold-Bath Fields*, cannot but avow impressions of a different nature, upon examining the several persons in actual exercise upon the *Tread-Wheel*. Scarcely an individual of the group was there but complained of pains in his thighs at the junction with the groin, in the back of his legs, and in his shoulders. These examinations were openly made in the presence of the Governor, who also admitted that the *formidable accidents* which are noticed in the preceding extracts had actually taken place.

But dismissing the *medical question* altogether, it is a matter of astonishment that the mere inspection of the *Tread machinery* should not instantly impress the mind with a conviction that the recurrence of such fearful accidents must be ever *probable*. In *Cold-Bath Fields* the whole movement of the machinery is dependent on a continuation of *cast-iron* bars, connected by *screw heads*, to an extent of nearly a *thousand feet in length*—throughout the whole of which, from a *single box-head, or bar, or even a screw or two giving way*, the entire wheel-population must necessarily be precipitated on their backs or heads, from an elevation of between five and six feet, and the centre of gravity of their bodies upon average being taken, three or four feet higher. And, in point

\* This testimony has been since supplied, and been noticed in its place.

of fact, they have been thus precipitated in this prison, as already observed, **FOUR TIMES** in as many months, when many of the boys also were much injured in their feet. A sudden attack of the *cramp*, or other casual affection,\* may produce, in individual cases, what has resulted from the repeated failures of the shaft. Yet such is the *continuity* of machinery, conducted *frequently*, by *subterraneous invisible communication*, as at *Brixton*, from court to court, which, as stated in the Appendix to the Report, is still proposed to be applied to various prisons in contemplation. Of the immense *machinery of the fly* attached to this individual connecting bar at the Prison in *Cold Bath Fields*, it is enough to observe, that any part of it failing in its action would probably *produce* the concurrent failure of all the wheels connected with it. In the great *National Penitentiary*, where the question of *Prison Labour* has been deeply agitated, and by persons of much consideration and well qualified to form a due estimate of all its bearings, there is no appearance of the *Tread Machinery*; but, on the contrary, the *Hand Crank-Mill* is found in action, for the purposes of grinding corn, raising water, &c.: the instrument, however, being still without that modification of which it is eminently and most usefully susceptible.

In the first part of the present statement it was observed that the order of precedence which has been assigned to the correspondence it embraces, was chiefly arranged according to the wider extent of the professional matter communicated. The ensuing extract however will show that the writer to whom, on this general ground, the lead has been assigned, is by no means a novice in the discipline of prisons and other establishments of distress and misery. He feels indeed a difficulty in speaking of his own pretensions on the present occasion; and however behooving it is to the general question that the many valuable publications, literary as

\* This anticipation has also been verified; a woman having fallen down, on her back, in a fainting fit, produced by the severity of the discipline.

well as professional, he has presented to the public, and the distinguished honours which have followed upon them, should be fairly enumerated,\* the writer of these pages must submit to the interdict which has been imposed upon him on this subject, though it is probable that to most of his readers such an enumeration is unnecessary.

*Extract of a Letter of Dr. Good, F. R. S. dated London, January 1, 1823.*

"I trust it will not be needful for me to add any thing more; for I have already been led on step by step, in this important enquiry, to an extent I never contemplated: and, in the general arrangement, you have put me in an advanced post, which ought rather to have been assigned to almost any other of your correspondents than to myself.

\* A passage which enlarged upon this subject, in the first edition of this Statement, is here suppressed at the express desire of the individual referred to. Yet the writer cannot avoid advertizing, in proof of his authority, to Dr. Good's recent and highly popular as well as learned work, "The Study of Medicine," in five volumes 8vo. including that of his Nosology; the merits of which have been spoken of in the most decisive terms to the present writer by Sir Henry Halford, Bart., President of the College of Physicians, Sir James M'Grigor, Director General of the Army Medical Board, as also by numerous other characters of high literary reputation, as well of the profession of the Law,† as of Medicine; and which it has fallen to the writer's lot to know has been received with flattering distinction in several of the most celebrated Universities on the Continent.

† Of the profession of the law, a correspondent of much consideration, who has filled distinguished offices, and whose knowledge of medical subjects is almost proverbial, thus expresses himself, in a note to the present writer, with reference to Dr. Good's "Study of Medicine."—"Hard at work at Dr. Good's volumes,—you know I have been a medical reader all my life. As far as I have gone I am indeed highly gratified;—great learning,—admirable classification,—luminous reasoning. The interspersion too, of singular anecdotes, historical allusions, quotations, &c. enlivens the sombre of technical didactics. The printer has not done his duty; I have already found errors unnoticed in the table of errata,—let me hope you will not hurry me to return the Books, they require much more than a cursory perusal."

The subject, however, is not new to me ; as it has occupied a considerable part of my attention, in some form or other, ever since the year 1795, when I published, on an unanimous request of the Medical Society of London, a Prize Dissertation *on the Diseases of Prisons and Poorhouses* ; which was followed, in 1805, by another Prize Dissertation, *on the best Means of employing the Poor in Parish Work-houses*, published, in like manner, on an unanimous request of the Society for the Encouragement of Arts, Manufactures, and Commerce.

"I wish, however, this weighty question, so far as I have handled it, to rest altogether on *the force of the facts*, and *the soundness of the arguments* advanced, rather than on any kind of sanction which my humble name or pretensions may be supposed to give it, from whatever degree of favour these writings, or any later productions of the same pen, may have been fortunate enough to acquire in the judgment of that professional community to which I am attached not more by fellowship than by gratitude.

"I have limited myself to a professional view of the subject ; and am only desirous that whatever is best for the interest of the country, and I may add, for the unhappy culprits themselves upon their return to society, should prevail.

"I agree most decidedly with the excellent individuals of the Prison Discipline Committee, that the Tread-Mill is AN OBJECT OF PECULIAR TERROR ; but I do not think the important question, *what should make it so*, has been sufficiently studied. That a public exposure of the person is not the cause is clear, since the most hardened and abandoned dread it as much as the most modest and reserved. It must then depend upon the nature of the labour ; upon its quantity or its quality. It cannot, however, be its quantity, because much more labour is daily performed by thousands of honest and industrious individuals *out of* a prison, and even by many of the culprits who work with the Hand Crank-Mill *within* a prison, without this peculiar feeling of terror, and

often, indeed, without dread of any kind. It only remains, then, to ascribe this fearful apprehension to the *quality* of the labour—to that very cause which the preceding pages have endeavoured to unfold : to the tortuous and irksome attitude of treading upon the toes up an endless and nearly perpendicular hill; the heels, which should bear the weight of the body, rendered useless, the natural line of gravity dislocated, the hands forced into a rigid and benumbing grasp, and the *extensor* muscles of the legs for ever on a *painful*, and necessarily, therefore, a *mischievous* and *morbid*, stretch. Such an explanation is clear and comprehensible ; and those who think differently from us are thrown into the dilemma of abandoning their favourite maxim—that the *Tread-Mill* is an instrument of *peculiar terror*,—or of relinquishing their discrepancy of opinion."

These concluding observations from Dr. Good's Correspondence cannot be placed in better society than with the extract of the letter which accompanied them from another of *his most distinguished medical friends*.

*Extract from a Letter of Sir Gilbert Blane, Bart. M. D.  
F. R. S. First Physician to the King, to Dr. Good,  
dated London, Dec. 31, 1822.*

" I return the statement on *Prison Labour*.—In order to add any thing to the exposition it contains, if *any thing can be added*, there ought to be much more and longer consideration than I can immediately afford to the subject. I own I have hitherto been one of the herd, who, perhaps, from a too hasty and superficial view of the matter, hailed this new contrivance in question as one step towards that most important and hitherto unsolved problem, the *employment of criminals*. Whoever could discover the most practicable and unexceptionable method of effecting this, and also the due separation of the ages, and *grades of crime*, would deserve a statue of gold from his country.

" I know of no solid objection to the different *physiolo-*

gical reasonings adduced ; but still physiology is but another word for theory, which is always fallacious till tested by experience. Perhaps the power of habit has not been sufficiently adverted to, as a principle of marvellous efficacy in renovating both the mind and body to untoward circumstances. Might it not also be asked, whether there are not many species of labour necessary for carrying on the useful and necessary acts of life, in which the virtuous and innocent members of the state are engaged, much more injurious to their health than the Tread-Mill ? This I am most clear in affirming, that there can be no necessity for making this the *exclusive mode of punishment* ; on the contrary, it is in the very essence of penal inflictions, that they should be proportioned to the enormity of the offence.\* Why, therefore, should there not be a *Tread-Mill*, or even a species of labour still more severe for those, for instance, whose punishments are remitted, by royal mercy, after capital conviction and sentence ? Let other minor offenders be consigned to the *Crank*, under the terrors of the *Tread in case of misbehaviour*. These are a few hasty thoughts that have occurred to me on this very interesting subject!"

It cannot be sufficiently regretted that this important subject has been so cursorily, and even rapidly, viewed, at the present moment, by this most respected writer, as, perhaps, there is not an individual in Europe who, from the

\* Among the recommendations of the *Tread-Mill*, we hear continually of the "*equality of labour*." This assertion seems to have been hazarded without any estimate of the *relative strength of individuals*, or the *nature of the machine itself*, which apparently exacts that all submitted to it should be precisely of the *same stature*. Between the *fixed rail* and *tread* there is no difference of space, and upon the same *tread-board* must every man press by his toes, if at all. All the *tread-boards* above are *covered*, and those below are out of the question ; hence every *description of stature*, *high or low*, must adapt itself to the *same precise limitation of space*. The bed of *Procrustes*, in this respect, might only claim a rivalry. The result is, that many convicts of *short stature* were seen literally to hang, by their hands, upon the *fixed rail* in the prison of *Cold-Bath Fields*, as described by Dr. Good. To the fabled *Sisyphus*, in his ceaseless toil, was still left the freedom of his muscular organs.

public stations he has occupied and his indefatigable attention to the general health of a most valuable department of his Majesty's subjects, can be considered, upon a question of this nature, better qualified for the investigation. It was the good fortune of the writer of this note, near thirty years since, to have been engaged with him in an analogous enquiry, which afforded many occasions of witnessing the exertions of his patient disquisition, combined with his great natural acuteness and comprehensive store of deep scientific acquirement. Had his extensive professional occupations now permitted him to have entered fully into the subject, his discernment would have readily discovered, that in the construction of the *Crank Hand Machinery* all that he anticipates, as desirable, is actually provided;\* and that, through all the gradations of minor offences, this duly "proportioned penal infliction" (to use his own appropriate phrase) may be resorted to with security and efficacy, in the most extended view, without experimental inroads upon the vital strength and constitution of the convict. Even in the cursory survey he has taken of the subject, from the perusal of the statements which had been transmitted to him, he ingenuously admits that *he knows no solid objection to the physiological reasonings adduced*, which, in truth, are few, as the statement has principally turned upon *pathological argument and admitted facts*—which appear to have had a

\* Messrs. Stothert, of Bath, (who have contracted with a Committee of Magistrates for the erection of Tread-Mills in the Houses of Correction of the county of Somerset,) have also ingeniously devised two different species of regulating powers, applicable to the *Crank Hand-Mill, or other machinery of a similar character*. One of these machines has a circular movement in a small tank of water, and embraces great facility of regulation. It would be peculiarly applicable to the *Crank machinery* at the County House of Correction at Devizes; the resisting power being equal to the action of thirty men. The whole cost of this "Regulator or Governor," adapted to such machinery, is stated not to exceed 65l.—and the small circular tank may be found of additional convenience, for the supply of water in many instances. The annexed sketch of two Cranks, will serve to give an idea of the Mill at Devizes, which comprehends four such Cranks.

deep influence upon his ingenuous mind. In effect, he adopts a different opinion from that which before he was disposed to entertain, and this from the force of the arguments advanced: and with reference to the *Tread-Mill*, he seems to consider it chiefly fitted as an infliction for *capitally convicted criminals*, and as a substitute for death—whilst, for all other classes, he reserves employment on the *Hand-Crank* or *Winch Machinery*. Such an avowal, and made from such an authority, is not of light estimation.

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At the conclusion of the preceding statement, it was noticed that a Committee of Magistrates had been summoned to meet at *Shepton Mallet*, for the examination of various plans of “*Tread-Wheels, or Discipline Mills*,” to be submitted to their inspection, and “*report to the Epiphany Sessions*.” Previous to the Report Mr. Burrough, the acting Surgeon of the Prison, who had received a regular professional education, and had served with the Army on the Continent, under the command of the Duke of Wellington, was examined: his replies to the several questions put to him were as follow,—“*That the system of labour, in which the feet are solely employed, is not so beneficial as the labour in which the hands are employed: —that the arms being extended through several hours a day, for a considerable time, would probably render the prisoner unable to work at other labour for some time after his discharge from prison by the effect produced, not only upon the arms, but also upon the principal muscles of the body, &c.* To the question, “*Which of the two kinds of hard labour he considered most conducive to the health of the prisoner?*” his reply was, “*Undoubtedly, the Crank-Mill.*”

No plans of *Discipline Machinery* having been produced but what were *exclusively to be put in action by the Tread-Wheel*, the Chairman (being the undersigned) entered “*his dissent to the introduction of the Tread-Mill under any*

"modification whatever, reserving his statement of the ground of his objections until the ensuing General Sessions." The Committee "declined giving any opinion upon the respective merits of the plans, not considering themselves, at present, competent to decide."

*Ston-Eaton, Jan. 6, 1823.*

J. C. HIPPISLEY.

#### ADDITIONAL NOTES.

(Circulated with the preceding Statement.)

These Notes are obviously added with little deference to order, but chiefly in relation to such incidental facts and communications as have occurred during the investigation in question.

Previous to the General Epiphany Sessions, the undersigned considered it incumbent upon him to prepare for circulation, by the readiest official organs, the "*Statement on Prison Labour,*" of 14th Dec. 1822, together with the *original Supplementary Note*,—"most anxiously addressed to the serious consideration of the executive Authorities of the Criminal Police of the United Kingdom."—Copies of those papers have been transmitted to the several Clerks of the Peace of all the English counties, and it appears that they have produced some impression at the *Epiphany Sessions* of the county of *Worcester*. It was not the good fortune of the undersigned to be able to attend the recent Sessions in this county, [Somerset] but he felt his anxiety somewhat relieved by an anticipation of the successful issue of a motion, which he knew was to be brought forward, *to suspend the execution of any practical measure on the subject of the Tread-Mills until the following Easter Sessions.* A motion, to such effect, was very urgently pressed by Dr. Blake, an eminent physician in the Western district of the county and a visiting Magistrate of the Western House of Correction. Dr. Blake read to the Court, also, a letter which he had received from Dr Good, in support of the object of his motion, expressing

at the same time, the highest estimation of the character and talents of his correspondent, with whom he had been in friendly habits for many years. The motion of Dr. Blake was not without producing a considerable impression on the minds of many Magistrates present. A question, nevertheless, was put to the County Surveyor,—“ whether the machinery of a Tread-Mill was not convertible to the purpose of a Winch or Crank Mill ?” The answer, as might be supposed, was in the affirmative.—Had the Noble Marquess who presides in the administration of the police of the county been present, and put the question—*Whether his own splendid mansion of LONGLEAT be convertible to an office for his steward or bailiff?* he certainly might have expected a reply, also, in the affirmative. The question being put on Dr. Blake’s motion, and lost—the order of the court was immediately issued for the erection of Tread-Mills in the Houses of Correction.

It was not unreasonale, nevertheless, to imagine that the Court would have recollectcd that, in the present state of the *Eastern or principal House of Correction at Shepton*, a period, perhaps little short of three years, may yet be required to complete the various works undertaken under their own reiterated orders, *to be exclusively effected by prison labour.* No inconsiderable portion of the *original contract*, including a Chapel, two additional Courts and Wards for Females, Lodges for Turnkeys, and a considerable detail of minor arrangements, still remain unexecuted. The prevalent opinion in the County, recognising the obvious utility of this effort, and its beneficial result, has found corresponding impressions in the minds of Magistrates of distant counties, who have recorded their approving sentiments in the pages of the Prison Journal. The Court might also have borne in memory, that, independently of the *contract*, *the work* which has been *expressly suspended* to give place to other works requiring considerable time in execution, the determination was, that *these additional buildings should likewise be carried into effect by PRISON LABOUR*:—may it not be

asked, whether *the recent resolution of the Court* can be considered; in such circumstances, as consonant to the tenor of their anterior proceedings,—or, in fact, to the real interests of the county?

Certain documents were at this time presented to the Court, in relation to the Tread-Wheel to which a considerable degree of interest seems to have been attached, and which appear to have influenced the majority of the Court in its unexpected decision. Upon an application to the Clerk of the Peace he was authorized to transmit a copy of them to the undersigned. They are in substance as follows:—

No. I. Extract of a letter from the Chairman of the Quarter Sessions of the *County of Surrey*, dated the *30th December, 1822*, intimating, “that he had made enquiry of the Governor of the House of Correction at *Brixton*, (who “had been in that office ever since the *last Epiphany Sessions*,) whether he ever knew or heard, from any of the “prisoners under his care, that the labour of the Tread-Mill “had affected their limbs or muscles in any way so as to be “*injurious to them*?—that his reply was prompt and distinct: he said he had never heard of such a complaint, nor of any complaint of the kind from any one of them. He recollects asking a *woman who had been at the wheel for a month, and who went to work with a rheumatic complaint*, how she felt when she went away? and she replied, ‘*THAT HER RHEUMATISM WAS COMPLETELY CURED.*’\* The worthy Chairman accompanied this document with the copy of a letter from the Surgeon to the House of Correction at *Brixton*, who has been in that situa-

\* It might have occurred that this *rheumatic female* was, at any rate, *an improper subject for the discipline, when originally put to it*. The cure of a man, in a severe state of rheumatism, produced, (as in fact it was,) not long since in this neighbourhood, by *plunging through the ice of a frozen pond*, might have been a valuable accession to such a collection of eccentric recoveries. Vide Dr. Good's Observations on the *Rheumatic Case*, in the ensuing letter, p. 134.

tion ever since its establishment, and who is pointedly stated to be "a man of very considerable medical attainments, and of a remarkably cool and careful judgment." This letter is also stated to contain the Surgeon's "DELIBERATE OPINION" upon the question, which the worthy Magistrate observes, "has, in his opinion, been VERY ABSURDLY made, respecting the use of Tread-Mills; and he trusts it WILL MAINLY TEND TO SET THAT QUESTION AT REST FOR EVER."

No. II. The letter referred to of the Surgeon of the House of Correction at *Brixton*, of the 28th December, 1822: in which to the enquiry, "whether the disease called "varicose veins ever occurred among the prisoners at Brixton, in consequence of their labour at the Tread-Mill?" he replies "that from its first establishment in October, 1821, "no such disease has ever been observed; and that as far as "his observation goes, he should conceive that such a disease "INSTEAD OF BEING PRODUCED, WOULD MUCH MORE PROBABLY BE PREVENTED, inasmuch as, from the KIND and "DEGREE of exercise made use of, the circulation in the "limbs being thereby promoted, morbid distensions of the "vessels would be less likely to take place."

No. III. From the Keeper at the Gaol at *Bury*, Dec. 15th, 1822; who reports, that "the Mill has been at work more than three years, and has obtained as much the approbation of the county, as it is disliked by the prisoners;—that soon after it was erected, A REPORT WAS PREVALENT THAT IT WOULD PRODUCE RUPTURE, AND INJURY TO THE BODIES OF THE PRISONERS, and although he soon found that the report arose from a quarter jealous of its success, HE immediately assembled all the Medical Men in the town to give their opinion upon it, who were unanimous that it could do no injury, AS NO UNNATURAL ACTION was thereby given to any of the muscles; and that to the present moment he has not heard of any man having received injury in his health or limbs."

No. IV. Extract of a Report from the *Visiting Magistrates* of the House of Correction for the county of *Leicester*: stating,—“ that the *Tread-Mills* have been at work about a “ year and half; and that neither the Governor nor Surgeon “ ever knew of any ill effects produced on the legs of the “ prisoners.”

No. V. The Keeper of *Dorchester Castle* reports, *December 26th, 1822*, that “ no ill effects had been produced upon “ the muscles of the legs of the prisoners employed upon “ the new principle mill now in use.”

With this, closes the information laid before the Court from the Chairman.—From the Surgeon of the House of Correction of the county of *Bedford*, in reply to questions put to him by a Magistrate of this county, the letter states, —“ that no case of *Hernia* had appeared since the erection “ of the Mill, (being not quite a year,) among fifty-two “ male prisoners. He thinks it fair to infer from thence, “ that the *Tread-Mill* cannot be said to cause rupture more “ than any other ordinary labour. The *Hand or Crank Mill* “ (he also states) *has been in operation ever since the year* “ *1816, and no case of rupture has occurred.*”

*Extract of a Letter of Dr. Good, dated January 17th.  
1823.*

“ I find I am got much farther into a controversy than I could wish to be; for I am fond of quiet and retirement; and I am the more sorry, when I consider the very excellent and patriotic characters who are enlisted against us, and whom I cannot oppose without pain. The question, however, is of great public importance. It is encrusted with much that is wrong and requires to be removed; and to flinch from it now, would be to betray ones ownself and the very intelligent individuals who have associated their labours. We have a basis of truth which nothing can shake; and even “ THE REPORTS” you have sent me will ultimately only serve to support and give confirmation to this assertion.

" I have read, with as much sorrow as surprise, the very unguarded opinion of Mr. ———, because it should seem he is a respectable practitioner. I may venture to affirm, and notwithstanding his "*deliberate opinion*," that he never has advised, or will advise, any thing like the discipline he has here recommended—I mean that of walking on tip-toe up high and almost perpendicular hills—to any patient of his, in his private practice.

" *Varices* and *aneurisms*, or tumours of the veins and arteries, may arise in any part of the body; but they occur most frequently in the lower limbs, from their *dependent* condition; and they never can be cured, or even prevented, where there is a tendency to the disease, but by *counter-acting* this dependency,—as by rest, a reclined position, and the uniform support of a bandage, or laced stocking. Upon this subject there never has been, and never can be, any dispute in the profession, as must be obvious from the nature of the case. This may be general or local: it may proceed from an uniform weakness in the tunics of the arteries or veins; or from weakness in particular parts, produced by cramp, strain, or stretch in such parts, and hence, very generally, by violent or fatiguing exertion, or standing long on the legs. Hence hardfaring men, and especially hardfaring women, are particularly liable to these complaints; as are officers in the army, when exposed to great harassment and exhaustion; so are pregnant women from obstructed circulation. Now a man would be laughed at who should recommend the Tread-Mill, or any thing like it, as a cure, or a MEAN OF PREVENTION, where a tendency exists, to any of these patients; and to talk of promoting or increasing the circulation by any means where the vessels are too weak in particular parts to bear its ordinary force without bursting, is most extraordinary.

" The report of the practitioners at Bury, convened by the Governor of the prison, and drawn up by himself, with his own comments, is hardly worth noticing, except to remark that the mischievous tendency of the Tread-Mill

discipline was early current at Bury ; and that the ground pretended to be adopted by the medical conclave, in forming their opinion, “*that no unnatural action takes place in the “Tread-Mill discipline,*” is altogether erroneous, and hence their opinion also. The Prison Discipline Committee, I repeat, must say decidedly what it is that renders this exertion an object of *peculiar terror*,—and when this is declared, it will, if I greatly mistake not, be resolved into UNNATURAL ACTION, and nothing else.

“The solitary case referred to in another paper, of the cure of a chronic rheumatism, may possibly have occurred, in consequence of the violent transfer of action produced in the organs at work : as a chronic head-ache has been cured by a fracture of the skull,—though far more likely to be produced by it.

“It is not by this skirmishing of outposts that the great question of the comparative merits of the HAND CRANK-MILL and the TREAD-MILL, for the purposes of prison discipline, is in any way to be settled ; nor ought it, in my opinion, to be met in this way.” Allowing all the salubrious advantages, both negative and positive, which are here claimed for the TREAD-MILL, not an individual has ventured to contrast it with the HAND CRANK MACHINERY, or to deny that all these advantages might be obtained in a far higher degree by its use, to say nothing of its *exclusive* benefits.”—

With reference to the unqualified imputation of “ABSURDITY,”\* denounced by the worthy Chairman, against those who have avowed opinions adverse to the introduction of the *Tread-Mill* for the infliction of *Hard Labour*, the UNDERSIGNED must deeply partake in whatever discredit may attach to such avowal. In this proscription, nevertheless, he will find for his associates, not only professional

\* In the Documents printed by order of the House of Commons, the concluding part of the Letter of the Chairman of the County of Surry, which contained the above stated *imputation*, is suppressed.

characters of the highest rank and learning, but individuals distinguished by a long and scrupulous attention to their public duties as **MAGISTRATES**, to whom it would be difficult to assign, on the present occasion, other motives than an anxious solicitude to investigate an important question of fact.—In the preceding statement, will be found the extract of a letter from a Magistrate of this description, (Sir John Acland) who during thirty years has acted in the Commission of the Peace, and for fourteen years has been Chairman of the General Sessions of this extensive and populous county. In that character his official conduct and opinions have been recognised in the public records of Parliamentary investigation, and particularly of the Committee of the Society for the improvement of Prison discipline, as appears in the extract of the report before them. The highly respected and reverend Magistrate, who, by acclamation, has been repeatedly called to the chair in the county of *Hereford*, must also, with his associate Bench, be subjected to the pressure of this sweeping denunciation, insomuch that those magistrates have practically resisted the introduction of the *Tread-Mill* in the County Gaol, and substituted the *Crank Machinery*, which is now in action.—At the Epiphany Sessions in the county of *Worcester*, it is observed in the public prints, “that the measure respecting *Tread-Mills* was abandoned, “for the present, on account of the expense, and also “on account of some strong objections urged against “*Tread-Mills* by Sir J. C. H., in a letter printed, but not “published, for circulation among the *Magistracy*,” &c. &c. Upon such an occasion, in another place, the charge of *officious presumption* might have probably been super-added to that of the “*absurdity*” of instituting this inquiry at all.

At a moment when the press swells with annunciations of individual “*Diaries*,” “*Recollections*,” and “*Reminiscences*,” a less authority than that of the first of Roman orators, might suffice to sanction an effort of egotism,—“*cogar fortasse facere quæ nonnulli reprehendunt—scribam ipse*

"*de me.*"—but the public has, in fact, a claim to every information, connected with this subject, and also to a knowledge of the channels through which it is conveyed,\* on which account, alone, it is that the greater number of the correspondents have at length consented to an announcement of their names. But the peculiar habits of a long protracted and, originally, forensic life,—a large portion of which has been dedicated to the practical duties of a provincial Magistrate,—combined with the individual responsibility, at the present moment, of engagements with his own County for the completion of an *original contract*, comprehending additional buildings to the extent of *three-fourths, at least*, of the whole of the most considerable of its Houses of Correction TO BE EXCLUSIVELY EFFECTED BY MANUAL PRISON LABOUR ;—and combined also with the office of a *Visiting Magistrate*, for many years, of the same prison :—these and other coincidences might, in themselves, warrant some earnestness of inquiry on the part of an individual thus circumstanced—especially when the question of "PRISON LABOUR" has become, as it were, "THE ORDER OF THE DAY."† In the execution of these

\* In the short extract No. II. the name of the writer is still withheld, the undersigned not thinking himself at liberty to introduce it, though the letter was addressed to himself. The learned writer is *pre-eminent* in his profession, and his opinion sanctions the *essential point of controversy*, as opposed to the *defects of the Tread-Mill*. Permission not having been obtained to subjoin the names of the eminent professional characters resident in Edinburgh and Dublin whose opinions are introduced in these pages, their names are necessarily suppressed.

† As the question at issue involves the selection and application of *Prison Labour*, or, in the words of the statute, "*HARD LABOUR*," the extract of a Report, printed by order of the Court, at the Epiphany Sessions of the county of Somerset, in the year 1819, may be here opportunely introduced ;‡ nor will some notice of the works which have been exclu-

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‡ The following is also an extract from an Order of the General Michaelmas Sessions, of the preceding year : "A report, detailing in the most gratifying manner, the progress of the work effecting at this House of Correction, (*Shepton Mallet,*) and the GREAT BENEFIT DERIVED BY THI

duties, it had been the good fortune of that individual to have long possessed the confidence of his fellow magistrates, by whom he had been repeatedly urged to preside in the Chair of the *General Sessions* :—and, in accepting that onerous charge, (for such it had been long felt in this

sively effected by “*Prison Labour*” in the House of Correction at *Shepton Mallet* be here considered out of place—some circumstances connected with the *local*, and the *period* when the works were undertaken, must be premised. The *Eastern* division of the county of *Somerset* contains *two cities*, exclusively of a great part of the suburbs of *Bristol*, together with extensive clothing manufactories and a large colliery population, in both of which a very dangerous spirit of insubordination had been *repeatedly* experienced. The *Eastern House of Correction* was represented as containing, at that period, above ninety persons, within a space ill calculated to receive a third of that number. *Typhus* was then raging in the County Gaol, and temporary accommodation was necessarily had recourse to without the walls. Plans had been delivered, extending to the amount of 26,000*l.* for the erection of a House of Correction for the accommodation of 257 prisoners. The state of the county treasury could ill bear any considerable additional drafts from it; the Prison, however, was under presentment. A proposal was made to extend the existing buildings of the House of Correction by the addition of *eight double wards*, containing day and night apartments, and so constructed, that, upon *a pressure of commitments*, (from contingencies of but too probable occurrence in the vicinity of this large clothing and colliery population,) by an occasional supply of moveable iron bedsteads, a great augmentation of prisoners might not incommodiously be received. Ten airy courts, with sheds, as a protection from the sun and rain, were also to be constructed, together with Infirmaries, Washing-house, Laundry, Kitchen, &c. and a Chapel, subdivided, for eight classifications of prisoners, to receive permanently at least two hundred persons;—Refractory Cells, Working Sheds, Lodges for Turnkeys, &c. were also included in the contract. The site of the prison was confessedly most healthy.—Of above five thousand prisoners, within the last fourteen years, seven deaths only had occurred, and those of previously contracted diseases, including four infants. The new buildings were stipulated to be wholly of stone, the floors and ceilings supported by arches, *each stone used in the floors and ceilings* (with the

“ COUNTY, AND ALSO BY THE DELINQUENTS THEMSELVES FROM THEIR  
“ PROFICIENCY ACQUIRED IN PRISON LABOUR, being delivered to this  
“ court, and read,—ordered that the same be recorded amongst the pro-  
“ ceedings of this Session.”

extensive and populous county) at the *Epiphany Sessions* of 1819, he considered it as an imperative duty *then* to press 'exception of the ground floors,) of nine inches in thickness,\* and of weight from one to one and a half ton each. The great mass of stone for the walls was, in fact, excavated from the yards of the prison, and faced by *prison labour*, the result, however, was the necessity of extensive substructions of four feet wall, in mortar, of a depth from 12 to 17 feet, to support the superincumbent erections. The freestone for the floors, arches, &c. was purchased at the Doultong Quarries, at a distance of three miles, and brought *unwrought* to the prison. The accommodation thus produced, in the course of three years *prison labour*, upon the *contract*, has extended in cases of emergency, and without inconvenience, to nearly 300 prisoners in single beds, the average being generally about half that number; but in cases of riot in the great clothing towns or collieries, of which examples have occurred since the extension of this Prison was proposed, the necessity of such extensive accommodation was obvious, nor could a prison almost exclusively appropriated to single rooms or cells be suitable to such eventual contingencies. The inconvenience experienced from abridged accommodation has been very sensibly felt in many of the new gaols in the kingdom, and in none more than in that of Bury. The completion of the Chapel and Female Wards is unavoidably, from the local appropriation, suspended, until the whole of the other buildings are effected; and the purchase of some additional ground, not originally in contemplation, has produced a suspension of all the original *contract labour*, until various additional buildings are erected to give a further extension to the western wing. The whole of the recited works were engaged to be finished by *PAISON LABOUR* exclusively, comprehending the work of those sentenced to "hard labour," and those "willing to work," to which last class suitable prison wages were assigned; and indeed, for a time, remuneration also was allowed, however irregularly, to those even under sentences of hard labour:— but the apprehension of a recurrence of the highly calamitous situation which existed in the County Gaol when the new works were commenced, supplied a tenable plea for stepping beyond the letter of the statute to give urgency and effect to a resource of such available importance. It remains to be stated, that not an individual hand has been employed upon the contract works but that of a prisoner; and that the work of the mason, the blacksmith, the carpenter, the plumber, and glazier, has been exclusively performed by such persons alone.

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\* In fact, the specification of the contract extended only to the depth of six inches, but the whole are finished to the full dimensions above stated and from the thickness of the walls, and various other circumstances, a very large proportion of work and materials greatly exceeding the contract has been gratuitously provided by the contractor.

upon the attention of the Court, and subsequently, to his Majesty's Government,—the expediency of that legislative measure, which was introduced in the same Session of Parliament, by Mr. Dickinson, (one of the County Members) and has been generally recognized, in provincial jurisdictions, as an accession of most beneficial importance.

Any innovation of established observances, especially connected with the administration of our criminal police, must necessarily excite corresponding vigilance on the part of those charged with its superintendance. When the statute authorised a “ provision of mills, looms, and implements, for the employment of persons committed to *hard labour*,” it could have little anticipated the adoption of such masses of complicated machinery as have been recently

It is not saying too much, that, for substantial strength, and even workman-like execution, the works will bear no discreditable comparison with some of our most approved modern gaols. When the works were commenced, not a mason was in the prison; but two boys, who had occasionally been employed at dry walling in the collieries, soon became expert masons, and after eleven months thus occupied in prison labour, have been known to be earning, each, 18s. per week, as masons in the vicinity. The conditions of the contract remain to be stated.—The Contractor was to receive in three annual payments the amount of the contract ;—a quantity of stone which had been raised from the quarries of the prison, estimated (including the prison wages paid for working it) at 100*l.* and the materials of an old house and cottage, recently purchased with the adjacent ground, estimated at from 40*l.* to 50*l.* together with 1600*l.* paid by the County, CONSTITUTED THE AGGREGATE OF THE COST ENGAGED FOR. Should it happen that the work could be effected for any sum within this aggregate, the Contractor pledged himself—“ to carry it to the credit of the County :—and to supply, “from his own individual means, whatever it exceeded.”—In this gratuitous engagement the contractor must take but little merit, for he was assured there was but little personal risk.—Under such circumstances however, THE CONTRACTOR FOR SUCH A WORK cannot be considered as stepping officially beyond the line of his duty, while extending his inquiries to the introduction of a novel system of Prison Labour, by which every effort similar to those which have been stated, must, in fact, be wholly superseded : and least of all was it to be expected that exertions thus ostensible and so generally recognised, should have been rapidly and over anxiously checked by any of those individual Magistrates whose countenance and recorded opinions had been highly instrumental in raising such a fabric to perpetuate the successful issue of the original effort.

introduced under the countenance of Magistrates and other highly-respected persons, who could themselves only have in contemplation to meet the provisions of the statute by the most effective means.—In the report of the Surgeon to the gaol at *Bedford*, where the *Tread-Mill* has been introduced, we find also that the *Crank-Mill* has been constantly in action from the year 1816. It may have been defective with reference to some, perhaps nearly all, of those concomitants which have been adverted to in the preceding pages, and the supply of which alone can give the *Crank-Mill* most of those advantages that fall within the object of enactment. “The mills, and looms, and “implements,” in legal contemplation, can be no other than such as are best calculated to call forth the action of the human organs in duly regulated manual labour, and by means at once exemplary and beneficial in a public view, and in no respect injurious in their application.

In the account of *BURY GAOL*, compiled, as it is stated, “by the Governor of that prison,” are given plans, with a description of a *Tread-Mill*, the invention of Mr. *Cubitt*, an engineer at *Ipswich*: the object of which (to use Mr. *Cubitt’s* words) “is the adoption of a kind of hard labour “to which every one would have a natural dislike, and “yet such as every one could perform without previous “instruction. This plan (he observes) consists of *wheels*, “as the moving power, where men, instead of walking “within the wheel, as is common, are to act on the outside “on a level with the axis of the wheel; and no one employed “can for an instant, eease from the regular step, WITHOUT “DROPPING DOWN TO THE FLOOR BELOW HIM: nor can he “advaaee too high up the wheel on aecount of the hand-“rail, placed about breast-high, for the purpose of holding “on, to rest the arms, and to regulate the steps.”

Mr. *Cubitt* might have added, that in the multiplied eolossal machinery at *Cold Bath Fields*, (whosc erection, it is understood, Mr. *Cubitt* superintended,) the progress higher upon the wheel is checked by the intervention of a board,

as an inclined plane, leaving only two alternate *treads* or *steps* of the wheel accessible to the forepart of the feet, the edge of the board meeting closely the instep of those placed in action upon the wheel. It may also be necessary to add to the description of the inventor, that as the prisoners enter upon the wheel at one end, they are kept, in order to make way for successors, in a *progressive lateral movement*, as well as in an *ascending action*, by which means they are enabled to reach the extremity of the wheel in the repetitions of their labour. In this compound and constrained action, it is obvious that the muscles of the legs and feet must necessarily be much twisted out of their natural bearings, and it is this action which, as Mr. Cubitt very truly tells us, resembles a WALKING UP STAIRS, that cannot for an instant be evaded, WITHOUT DROPPING DOWN TO THE FLOOR BELOW. He has not added, however, that this action of walking up stairs can only be effected, upon his machine, as already observed, by the toes; and that the toes and instep are also continually subject to the casualty of being violently forced against the edges of the depending board; and, that repeated casualties have actually occurred, with considerable injury to the workers not less than four times within three months in that prison, confessedly the most considerable in the metropolis or country—the Penitentiary alone excepted; in which the largest expenditure has been incurred on the Tread-Machinery; and wherein it must be assumed, that, under Mr. Cubitt's punctual superintendence, every practicable effort has been made to give it stability. That such inflictions must excite "A NATURAL DISLIKE," in those who have actually so suffered from them, may be well conceived: nor is it difficult to imagine, from the repeated ocular evidence of such casualties, that the same "dislike" must be prevalent among those who are daily summoned to the risk of similar jeopardy of life or limb; to which they are subjected, not only from the complex nature of the machinery, but likewise from the incursion of cramp, casual debility, &c. against which no human foresight can provide.

But advertig to the mere constrained effort “*of walking up stairs,*” as predicated by Mr. Cubitt, and this *upon half the foot, or toes, continued with short intermissions, for eight or ten hours daily, for months, and possibly for years,* it is scarcely necessary to ask whether such a degree of *unprecedented sufferance* could be in the most distant contemplation of the Legislature, when it authorised the introduction of *Mills and other implements* for the promotion of “*HARD LABOUR?*” Yet we have only to refer to the *daily prints* to notice the *resistless rapidity* of adoption with which the *Tread Mill* is urged throughout the kingdom,—the efforts, extending indeed, to various parts of the Continent: so that at no distant period “*Quæ regio in terris,*” may Mr. Cubitt and his coadjutors triumphantly exclaim, “*NOSTRI NON PLENA LABORIS?*”

Now dismissing the *medical and anatomical* view of the question, and even the incidental easualties to whieh this *novel discipline* is exposed, let the subjeet be seriously contemplated, for a moment, in the impressive *moral light* whieh the truly philanthropic President of the Royal College of Surgeons (*Sir William Blizzard*) has humanely brought to bear upon it, in his impressive letter to Dr. Good, derived from an infliction of *degrading punishments* with too little deference to the acuteness of feeling resulting from an *excess of shame or aggravated humiliation.* The exhibition of the *PILLORY* we have lived to see reserved only for those offences which are deemed generally inaccessible to the influence of such feelings altogether. Our law commentators, even of old time, were urgent in their cautious policy to guard against an unqualified resort to that *formidable infliction*, as carrying with it, *legally and morally*, the *stigma of perpetual infamy.* But are our juridical expositors of the *nineteenth century* to be sent back for lessons of practical humanity to the *æra* even of our *GREAT CHARTER?*—We know that in those early days *offences* were sometimes very loosely described, yet the Statute “*JUDICIUM PILLORIE,*” was marked with an injunction — that the infliction should be “*without*

"bodily peril of man or woman,"—and a subsequent Statute expressly provided that "*the Pillory should be of convenient strength, so that execution may be done upon offenders without peril of their bodies.*"\* The object of this penalty was the disgraceful exposure of the person of the offender, and the *letter* of the penalty and its *limits* were providently identified. It may be asked, moreover, whether the united efforts of a *Smeaton*, and a *Rennie* could guarantee *security* against such *complex ramifications of machinery* as that in the prison at *Cold Bath Fields*—against a *continuity of axles or shafts*, extending near a *thousand feet*, and governing the revolution of *four and twenty tread wheels*, on which between *two and three hundred persons* are uplifted in this *new discipline*, this "*walking up stairs; and on which no one employed can, for an instant, cease from the regular step without dropping down on the floor below him.*"—And, is it not enough that this *gratuitous penalty* of "*dropping down*" should be dependent on the *positive negligence* of the individual, but must it be *equally expectant on his imbecility, or the failure of a bolt-cap or screw?*—The introduction of this machinery is nevertheless to be enforced, with an overwhelming influence, while multiplied and *assured means of practical REGULATED LABOUR*, fully consonant to the intentment of the statute, and to every moral feeling, are readily accessible. Nor must we forget that the **BILL OF RIGHTS** itself is not unob-servant of the novelty of *unauthorized and cruel punishments*. *Severity of infliction* nevertheless is not to be abandoned while considerably and duly administered—tempered with every effort to cultivate or revive the latent spark of moral feeling wherever it lies within reach. "*Let him that stole steal no more; but rather let him LABOUR, WORKING WITH HIS HANDS the thing which is good.*"—*Ephes. iv. 28.*

In direct coincidence with these remarks are the following observations of a Correspondent relating to the highly

\* Vide Statute, "JUDICIUM PILLORIE, 51 Hen. III. and Statutes made during the reigns of Hen. III. Edw. I. or II. but uncertain in which of their times,"—following those of Ed. II. in the Statute Books.

respected Committee of the Prison-Discipline Society, in which the undersigned, with all deference to this interesting body of individuals, cannot but fully concur, upon the most deliberate and conscientious conviction, and a minute examination of all the objects which the question itself involves.— “I cannot,” says the writer “avoid expressing my surprise, however, that those distinguished friends of humanity, and, generally, correct reasoners, should so suddenly and unaccountably have departed from the first principles of their association, and have abandoned their system of compassion and moral reform for one of hardening and hopeless severity. If this be persevered in, the expense of a Prison-Chaplain may at least be saved; for, under a discipline of *pure and unmixed suffering and terror*, what benefit can be expected to arise from inculcating the doctrines of repentance and amendment? Or, how can it be possible to kindle up the feelings of love to God, and love to man, or to make any use of the forcible appeals which the Bible supplies? Could any of us, out of prison, bring our minds to be influenced by such points, if we were to change places with those unhappy beings? Yet such was the noble object the Committee originally had in view—and such is the noble object, still aimed at, among the *female prisoners in Newgate*, who, instead of being turned loose upon the world at the expiration of their term with their minds hardened by terror and severity of suffering, AND THEIR LIMBS RENDERED LESS CAPABLE THAN EVER OF AN HONEST LIVELIHOOD, have, in many instances, their minds softened and corrected by religious instruction, and the means of honestly and industriously providing for themselves PUT READY FOR USE AT THEIR FINGERS' ENDS.”

The mind of an offender may be impressed with a rational view and consideration even of the penalty of delinquency; for, if properly inflicted, he may be made sensible that in itself it will be essentially advantageous to him on his return to society; and in such case the temporary severity

of infliction may be compensated by an habitual return to the natural and prominent organs of active labour ; so that he may say with the admirable *Barrow*, that “*the CONGRUITY and TENDENCY of those organs have not been misapplied. Our HANDS ARE SUITED FOR WORK—our FEET FOR TRAVEL ; the other parts and powers are formed for action, and that not in a loose and gadding way, or in a slack or remiss degree, but IN REGARD TO DETERMINATE ENDS, WITH VIGOUR REQUISITE TO ATTAIN THEM.*”—Would to heaven ! that *Mr. Cubitt* had taken *Barrow* as his text book, when he so zealously set about the accomplishment of his novel system of labour—he would not then have sought that “requisite vigour” in the *toes*, which belongs naturally to *the arms and hands*—nor have crippled the human frame into those tortuous inflictions of the body which his machinery exacts—

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Can thus  
 “ Th’ image of God, in man created once  
 “ So goodly and erect, though faulty since,  
 “ To such unsightly sufferings be debas’d  
 “ Under inhuman pains ? ”\*

In most parts of the Continent of Europe institutions exist, to which, in the present circumstances, we cannot but lament that no analogy of provision is found throughout the great department of our national police :—the establishment of a *Committee of Forensic Medicine* might, in various instances, prove a great resource to the Minister who presides in this department ; and, from our Royal Colleges, there would be no difficulty of readily selecting individuals to acquit the duties of such an Institution. A recourse highly useful might thus be readily obtained upon questions embracing many objects in which medical inquiry is found to mix with the polity of the State, extending, as it may occasionally, to the *construction of prisons* so far as respects the *objects of health*, and even to the institution or

\* Milton, Par. Lost. xi. 507.

infliction of *corporal punishments*, not extending to life, wherever they may be considered as bearing upon the future health or strength of the delinquent: in effect in all cases analogous to the object of investigation.\*

By the famous *Constitutio Criminalis Carolina* framed by Charles V. at the diet of Ratisbon in 1532, medical professors were to be consulted on all kinds of accidents and violence that terminated mortally, as well as on various other occasions; and a regulation not essentially dissimilar has existed in France from a still earlier period, for it can be traced up at least as high as to the reign of Francis I, though perhaps not strictly recognized by letters patent till that of Henry IV. and in consequence of these enlightened views, the writers on *FORENSIC OR STATE-MEDICINE*, have been numerous amongst almost every people on the continent, and especially in Germany, France and Italy, from the time of Ambrose Paré in 1575, to the late elaborate work of Professor Foderé in 1813:† while there is scarcely an University in any state in which a chair is not expressly allotted to this branch of study. Even in Edinburgh, since the year 1803, such a chair has been introduced and endowed, in consequence of a patriotic memorial upon this subject to the ministers of his late Majesty, and has to the present hour been satisfactorily filled by an authority to whom the writer of this statement is indebted for some valuable parts of the information it contains. But in England, to this

\* The writer having, in his former Statement, incidentally adverted to the establishment of forensic medicine, considered it incumbent upon him to endeavour to procure further information from the most authentic sources, which is now supplied above in the text.

† *Traité de Médecine Légale et d'Hygiène Publique, ou de Police de Santé*, 6 tom. Paris. Among the multiplied works on the subject in Germany, one of the most valuable is Baron Haller's celebrated *Lectures on Juridical Medicine* (*Vorlesungen über die gerichtliche Arneywissenschaft*) in three volumes, 8vo. 1782. And in Italy may be mentioned, as particularly entitled to notice, the *Institutioni di Medicina Forense*, by Professor Giuseppe Tortosa of Vicenza, published in two volumes octavo, in 1809.

moment, we have no legislative regulation whatever upon so important a subject, no professional chair, and but few professional writings. It is not a little singular, however, that while the author has been employing his thoughts upon the present statement, a work upon this topic has made its appearance from the pen of Dr. Gordon Smith, in one volume octavo, entitled “The Principles of Forensic Medicine systematically arranged, and applied to British Practice;” which, though chiefly limited to Inquests, and such cases as fall within the jurisdiction of the Coroner, is represented as possessed of merit, as far as it goes, and will probably lead the way to some more comprehensive and systematic production.\*

*Ston-Easton, Jan. 30, 1823.*

J. C. HIPPISTREY.

[It has been omitted to state that at the *Epiphany Sessions* at *Devizes* an order was also made for the introduction of the *Tread-Mill*. Having been invited to attend the *Wiltshire Sessions*, *on that occasion*, (and having been in the Commission of the Peace for that county above 30 years,) the undersigned did not there withhold the declaration of his sentiments in concurrence with the preceding statement—The documents from the Chairman of the Surrey Magistrates had also been transmitted to the Sessions at Devizes.

J. C. H.

*Copies of the original statement were transmitted to the Clerks of the Peace of the several English Counties:—the present extended notes are also put in a similar course; and the whole transmitted to the Judges of the Courts of Westminster, and to his Majesty's Cabinet Ministers.]*

\* This anticipation has been verified: for a work under the title of “Medical Jurisprudence,” in three volumes octavo, has since been given to the world as the joint production of Dr. Paris and J. S. Fonblanche, Esq. which exhibits considerable research, and learning, and is calculated to fill up no inconsiderable part of the vacuum complained of.

POSTSCRIPT.

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MUCH as the preceding notes have been extended, communications have been received while they were under the press which it would be improper to withhold, especially as they are proposed in aid of a public investigation. The original statement having been transmitted to a highly-distinguished medical authority in Edinburgh, he avows himself “an advocate of *the terrors of a prison*,” and conceives that the most effectual means of reform are *spare diet*, **HARD LABOUR**, and *solitary confinement*: and this without other limits in the application of these principles than a deference to the health of the prisoner, so far as not to prevent him from earning his livelihood when released. Not having seen the Tread-Mill, he cannot speak practically concerning it, but theoretically he holds that *labour preferable* which is most consistent with *perfect health*, and **FREE FROM DANGER**. **THE PUBLIC**, says he, **HAVE NO RIGHT TO PLACE THE CRIMINAL IN THE WAY OF LOSING LIFE OR LIMB**. The *labour* should not interfere with the actions of the muscles which are essential to important functions of the animal economy; and of the voluntary muscles, the only ones in this predicament are the *abdominal*, *the antagonists of the diaphragm*. With this exception, *the greater the number of muscles exercised the better*, and they should be exercised *alternately*; the *flexors* and *extensors*; the *muscles of the legs and of the arms*.” The *labour*, this correspondent would have to be “coarse and hard, as better suited for punishment.” The only observation to be made upon which requisites is, that they cannot but be considered as wholly *opposed to the practical use of the Tread-Mill*. This letter contains two other communications, one stated to be from a most zealous acting Magistrate, who thinks very properly that “prisons should not be “considered as *parlours and drawing-rooms*;” nevertheless that some consideration should be paid to prisoners of *different descriptions*, as many of them may be wholly innocent, and from

one of the many prisons of the county of Middlesex, Clerkenwell, it is known that above *two hundred* have been discharged, at a time, by proclamation. "The *Tread-Mill*," this correspondent observes, "has been in full operation on the banks of the *Thames* above forty years,"—which indeed is true under a certain form,—that of walking *WITHIN* the wheel, instead of being *fixed upon the external cogs or treads* of it. In the old wheel, though some objection arises from the continued strain upon the *muscles and nerves of the legs*, nevertheless even that motion may be more readily varied than in the modern form, and so may the motion of the *whole body*; and above all, the machine is, in a great measure, *exempted from casualties*, since a fracture of the cord of the crane could only check the rotation of the wheel to a certain extent not likely to be seriously injurious. "The "giving way of bolts," it is observed, "is common even to other machinery, steam-engines, &c. where danger may also ensue." But while we can *command* means of labour which are *exposed to no danger*, we have neither authority of the divine or human law to expose *even delinquents* to penalties which are *pregnant with danger*. Let indeed the labour be severe, where severity is required; but still this may be secured not only by a *due regulation of the Hand Crank Machinery*, but by *other* practical modes of labour, such as the undersigned has had occasion not unfrequently to witness in the progress of the works which have been alluded to in the preceding pages, especially when directed by a *task-master*, such as the keeper of the county prison at *Shepton*; and, where due encouragement is not wanting, such superintendants may be elsewhere found.

The diseases incident to the *Tread-Mill* are however viewed by this correspondent with less consideration, "as many common professions in active life lead to similar results."—It is scarcely necessary to raise an argument upon this point, where the *petitio principii* assumes the *right of infliction of any hard labour*, even though it be *obviously subjected* to such consequences. It is further stated by him that "in *England*, the *diet of prisoners* trenches deeply on the purses of those who must support them. In the *Bridewell* at *Edinburgh*, the diet does not exceed *twopence farthing per diem*, exclusive of the extra allowance to the *tread-men* of *two halfpenny rolls*, and an English pint of beer, at one halfpenny."—In the House of Correction at *Shepton-Mallet*, the *daily expense* of a prisoner is *twopence halfpenny*.

his food, *potatoes* and *gruel daily*, and an allowance of *boiled meat every other day*.

With the preceding observations from *Edinburgh* is communicated also a paper of remarks respecting the same Bridewell, (apparently also from a professional quarter) comprising a commentary on the *statement* sent from hence. This paper begins by admitting that in the Edinburgh prison “ prisoners have, occasionally, slipped off the tread, but without injury, nearly one half of the semi-diameter of the wheel being sunk in the ground, so that the prisoner slips gently down with his feet into a pit, until he thinks proper to rise and resume his labour.” It also states, that, “ no instance of disease has occurred from working on the tread-wheels, although they have been in operation about six months;”—that, “ the hand-rails are placed at such a height as to prevent the prisoners from hanging on them, not from any fastidious apprehension of injury to the prisoner, but in order to secure the full effect of his weight in aid of the moving power;—that, as continuing long on the wheel would unquestionably produce perspiration, there is a rapid succession of rest and labour; and on a wheel employing six prisoners, each works only seven minutes and a half, and rests one half of that space.”—The attempt of the prisoners to hang upon the hand rail is here nevertheless admitted. Some observations are annexed respecting the *Hand Crank*, but unnecessary to be adverted to, as they obviously arise from a want of information of the regulation of which that machinery is clearly and readily susceptible; so much so indeed as not to be subject to any of the objections raised against it.—This paper, nevertheless, expresses doubts of the utility of *Tread-Wheels* as not being of a nature sufficiently appalling, and questions the fact of Counties and Districts having been cleared of vagrants by the TERROR OF THE TREAD-MILL alone. While with reference to the board or inclined plane, the writer would not have it placed below the prisoner’s feet, for should the prisoner not shift his feet in due time, his toes must, of necessity, be crushed between the descending tread and the projecting board; but above the feet there is and ought to be one to prevent their getting up too high, while no injury can possibly ensue from a board so placed, the motion being always in an opposite and downward direction.”

Now the value of such observations, however seriously made,

must be dependent upon facts themselves. In these pages it never was in contemplation to speak of a board placed under the feet : while the REPEATED CASUALTIES that have occurred in the prison of Cold Bath Fields have proceeded precisely from that motion which is stated from Edinburgh to be impossible. They have followed from the recoil or revulsion of those massive wheels (of which there are four and twenty) revolving, as they occasionally do, upon the continuation of a single axis, and which recoil results from any sudden check to the machinery, not merely in consequence of fractures of bar-caps or screws, but at times from the ordinary staying of the wheel.—And how much they are to be apprehended was particularly noticed by the undersigned to Dr. Good on his first visit to the prison. In the small Tread Machinery for six persons, as represented in the Bridewell in Edinburgh, such evils may, in some degree, be guarded against ; but in the colossal and multiplied machinery at Cold Bath Fields the attempt is difficult, and apparently incapable of accomplishment.

From Dublin similar communications have also been received transmitted by a physician of the highest reputation. He refers to the Fourth Report, p. 68 and 71, of the Committee of Prison Discipline, as sanctioning the healthfulness of the employment of the Tread-Mill. He expresses a desire, (as every one of due consideration must feel,) " that all those who wish for a mitigation of our sanguinary code will unite in proposing to the consideration of the Legislature some vicarious measures of punishment which may deter the criminal, and at the same time enable him to avail himself of *due moral and religious instruction*.—And recommends that the discipline should be " strict, and even severe. He considers that the Tread-Mill, " and the Hand Crank-Mill, have each their pretensions ; but " conceives that the Crank exercise may distress the lumbar " muscles and kidneys, and threaten rupture as much as the " Tread-Mill :" —With reference to which apprehension, however, it may again be allowable to observe, that the system of regulation and the improvements proposed for the Crank machinery will obviate objections of this kind derived as they are, from its ordinary action, and probably under a careless superintendance. " The humanity of the Governor of a gaol, and the inspecting Magistrates, (it is properly observed,) should be " alive to graduate the task, according to the strength of the individuals, even in an exchange of labour of other kinds."

A well-conceived advertisement of the *Dublin Association* is also quoted in this communication, which states that "mill-labour, meaning the Tread-Mill, is not proposed to be exclusively and "generally adopted; that it is too severe for the infirm, and even "for the sturdy criminal, whose refractory dispositions appear to "have yielded to discipline. Some species of labour, it is added "less monotonous, irksome, and even to a certain degree profit- "able, might be reasonably indulged, not only as a reward for "the improvement of his conduct, but as a means of enabling "him, at the expiration of his confinement, to support himself "with honest industry."

An objection is next taken by this learned correspondent against the *Tread-Mill* in consequence of the weight of the body, when under its influence, conspiring with muscular action: and means are proposed for remedying the evil. It is further observed, that care and ingenuity might possibly obviate the accidents that have happened; and that screens on the *Tread-Mill* might be interposed between the culprits, which the revolutions of the cranks in the Crank-Mill, it is conceived, would exclude. This last remark is altogether founded on mistake; for first, nothing can be more simple than to interpose screens, if desirable, between each crank; and secondly, nothing could be more difficult than to accomplish this in the *Tread-Mill*, since every treader is compelled to move on progressively and laterally, the one incessantly occupying the space of the other. Yet this imaginary advantage the learned writer is disposed to "estimate very highly."

The author of these observations communicates next the extracts of three letters.

No. I. admits freely "the comparative merits of the foot "and hand mills having been impartially investigated by the "letter, No. I., (of Dr. Good,) in the preceding statement, no "doubt remains in his mind of the decided superiority of the "latter. I fully subscribe, says the writer, to all the anatomical "physiological, and pathological objections urged against the "use of the *Tread-Mill* by this able physician; and when his "clear and rational views of the subject have obtained publi- "city, and that extent of liberal communication to which they are "eminently entitled, it must alone be retained in prisons as an "instrument of severe punishment. The reported effects of the "Tread-Mill on female health are of such a nature as to render

" *the employment of women at this species of labour INHUMAN and INDELICATE IN THE EXTREME.* The *Hand or Crank-Mill* " is, as far as I can judge, quite unobjectionable ; the muscles " of the persons employed in working it are, in general, *in legitimate operation, and the body and limbs are not, as is obviously the case when the Tread-Mill is used, in constrained and painful positions which cannot be varied or relieved.* The Hand- " Mill is, in my opinion, admirably calculated to *promote health, strength, and muscular action,—while the Tread-Mill tends to paralyze and debilitate the muscles which are intended for powerful and multiplied actions, and to call into forced activity others which are destined for minor offices in the locomotive functions.*"

No. II. extends to considerable details, premising that the writer has had no opportunity of seeing either the Tread or Hand-Mill at work, and consequently is not competent to judge on their comparative merits as instruments of prison-discipline. Upon general principles, this writer is disposed to think that *human strength can be more advantageously applied to the Hand than to the Foot Mill, both with reference to the work done, and to the comfort and safety of the workman.* He suspects, nevertheless, that the dangers attributed to the *Tread-Mill* have been over-rated, and that many of them apply with more force even to the *Hand Crank-Mill.*—As it would extend to great length to follow the writer through his deductions, though it would not be difficult to shew, that his objections, principally if not wholly result from his being unacquainted with the proposed improvement of the *Crank Machinery*, and its capacity of regulation—this part of the detail, will not be adverted to further than to notice the "*aneurismal and varicose swellings of the legs.*"—The observation of the writer is, "that they are of rather rare occurrence, even among those whose lower extremities are subjected to exertion much more constant and severe than those which are performed in a *Tread-Mill.*"—How far this observation is consonant to the existing facts will be shown presently. As to the danger incident to females, " *Women (it is admitted) are certainly less fit subjects for the Tread than the Hand-Mill, but under proper regulation they might be employed with perfect safety to their health in either mode of labour.*"—"Why then," continues the writer, in his concluding paragraph, " might it be asked, in the medical view of

" the question, do I give the preference to the *hand* above the "*foot* Mill, as an *instrument of prison discipline*? MERELY BE-  
" CAUSE THE HAND-MILL EXCLUDES ALL DANGER FROM ACCIDENTS  
" AFFECTING THE MACHINE, AND BECAUSE THE WHOLE BODY IS  
" MORE EQUALLY AND USEFULLY EXERCISED."—The learned  
writer is desirous, however, that neither of the machines  
should be adopted to *the exclusion of the other*, as there are  
instances of *mal-conformation of the lower extremities* where the  
*Hand-Mill* might be advantageously employed, and *vice versa*,  
with reference to the *Tread-Mill*. He conceives, nevertheless,  
" that the Tread-Mill affords a *more equal distribution of disci-*  
" *pline* :" but this error has been sufficiently adverted to already.

No. III. Containing the observation of another professional writer, avows an inability to give a *decided opinion* on the probable effects of the *Tread-Mill* on the health of the prisoners, from not having seen one; but some observations are made, merely confined to the *position of the bar*, not necessary to be here noticed. These observations are concluded as follows : " I  
" am clearly of opinion that no labour should be employed  
" which requires *violent bodily exertion*, as this must have the  
" effect of hastening those organic diseases to which so many per-  
" sons have a tendency, and particularly diseases of the head,  
" lungs, and heart. I think, that to make labour a salutary  
" punishment, it should be made irksome by its being long con-  
" tinued, and at the same time AS MUCH BODILY EXERTION  
" SHOULD BE COMBINED as is requisite to maintain health."

Thus much of communications from these highly respectable professional authorities, residing in the *capitals* of our *heretofore sister kingdoms*. The opinions and facts are stated with great candour; but, it is to be regretted, not with *adequate information* with respect to the combined means by which the *Hand-Crank* Machinery may be demonstrably adapted to the purposes of *severe* as well as of *salutary* prison-labour, or to its numerous facilities of regulation. Nor indeed, are many other descriptions of *manual* labour to be overlooked, sanctioned as they are by experience, and which are unquestionably applicable to the letter and spirit of the statute. It is somewhat curious, however, to observe what a host of discordant opinions press forward to unite in support of this new and *highly-favoured* system—opinions, of a nature so *fundamentally adverse to each other*, that nothing could concentrate them but *resistance*. While the Com-

mittee of "Prison Discipline," speak of the *terrors of the Tread-Mill*, the hardier Sons of the North object to it, because it is of *no terror whatsoever*, or not enough for their purpose. And while another eminent member of the Royal Medical College in our own Metropolis is for reserving this infliction as a commutation for *capital punishment*, these strong-minded theorists call for something *severer* even for *petty offenders*, and at the same time, with obvious inconsistency, resolve that this light punishment ought not to be persevered in from the great fatigue and perspiration it excites, for not more than seven minutes and a half at a time, which is just half the period allotted by the more lenient magistrates of the South.\*—These, indeed, are strange contrarieties.

This *Postscript* will be closed with a few other notices of a very extended mass of testimony and observations, which, like the preceding, have been addressed to the undersigned since the greater part of these Notes were under the press: for, undismayed by the censure attached to the investigation, he has still persisted in it from a strong sense of public duty. The substance of communications, chiefly oral, with naval officers in his vicinity will be first adverted to. Three gentlemen of this description (Captains in the Royal Navy) distinctly recognise the fact—"that *nothing is more common among seamen than varicose affection of the legs, though little attention is paid to it*"— "they all attribute this affection principally to climbing the shrouds:—and *Hernia* (which is also frequent) they consider "rather as arising from the pressure of the bodies of the seamen upon the yards." That *Hernia* often results from the frequent use of ladders, has before been noticed—and the Professional Gentleman attending the family of the undersigned (*Mr. Flower, of Chilcompton*, whose statement appears under No. III.) has communicated a recent fact of a young woman, of an adjoining parish, who, "in ascending a ladder to a *wheat-rick*, felt, when half way up, considerable pain in the groin, which increased to a great degree, and was found, upon his being called in to have caused an obvious *Hernia*." In the parish of the undersigned is also a very intelligent retired seaman (*Robert Moon*), who served nearly 25 years in the Royal Navy, and affirms, from his own observation, that "nodulous swellings of the veins of the legs of seamen are common from their

\* See the preceding page, line 1, 2.

"going aloft."—Another naval officer of great experience, who served, many years, as Flag Lieutenant with Viscount Exmouth, but is now a Commander in the Royal Navy, informs the undersigned that "*among seamen VARICOSE SWELLINGS are very common*; a fact he first noticed on observing the state of "the seamen's legs when their trowsers were tucked up, in "the act of washing the decks."—But this head of testimony will be closed by adverting to the statement of *medical officers connected with the naval department*,—and as those Gentlemen who have favoured the undersigned, directly or indirectly, with their respective communications, will feel that the value of them must be chiefly estimated with reference to their immediate sources of information—they will pardon, under the circumstances, the present use to which they are applied.

*Dr. Beatty, Physician to the Royal Hospital of Greenwich*, so well known and respected as the medical attendant upon the last moments of Lord Nelson, states, immediately to the undersigned, that "*of varicose cases we have numerous instances among seamen of all ages, from nearly similar causes*"—viz. *the ascent upon ladders, great muscular exertion on going aloft, &c.*"

*Dr. Parkin, of the Royal Marine Infirmary at Woolwich*, (formerly attached to Viscount Exmouth's flag, as he has likewise been to flags of other Commanders in chief) in communication with the undersigned, on the same topic, observes, that "*seamen are particularly subject to varicose affections, especially of the lower extremities, and it generally supervenes between the ages of 36 and 45, if the individual has been from boy-hood to the sea; at the latter period they are usually men of broken constitutions and premature age. HERNIA is also a common complaint among sailors, and arises, most frequently, from their laying over the yards, or \* \* \* furling and hand-ling the sails. But there is no species of exertion in which it is not found to happen. A FALSE STEP IN RUNNING UP THE SHROUDS—A SLIP IN RUNNING OVER A WET DECK WHEN THE SHIP HAS MUCH MOTION, &c. &c.—but, in short, whatever accident may call the abdominal muscles into sudden and energetic, and especially, partial action, is a cause of the injuries in question; and a peculiar state of constitution, begotten by the habits of seamen, predisposes to the disease, which more frequently happens about the age of forty than at any*

"other period."—BUT THE CAUSES NAMED ARE SUFFICIENT TO BRING IT ABOUT AT ANY TIME. This complaint occurs amongst labourers accustomed to carry weights upon their heads and shoulders, increasing the *superincumbent pressure* upon the *spine*, and thereby requiring often a more prompt, and always a stronger, action of the abdominal muscles to preserve the equilibrium of the body. Hence it is found common to **MASONS** and **THATCHERS**, who, in addition to the operation of ascending, must attend to a due equipoise, and generally preserve it at the risk of such an occurrence. *Cavalry Soldiers* are, I believe, subject to the injury, and I imagine it might be often averted by permitting a shorter stirrup. The **VELOCIPED**E was a fruitful source of it." &c. &c.

The information obtained, on the same subject, from another Correspondent at *Portsmouth*, likewise purports "that having had an opportunity of consulting different professional Gentlemen connected with the *Navy*, on the subject of the enquiry, the account I have received (he observes) from Dr. *Wilson*, the Physician of *Haslar Hospital*, is confirmed by several others whom I have consulted, which is, that sailors are certainly very much subject both to swelled and even ruptured veins of the legs, called *varicose*; and that cases of *Hernia* are also very common among them, occasioned by their occupations in being frequently in the rigging of ships, where great exertions are sometimes required."

"It appears, nevertheless, from information received from Mr. Mortimer, (the Surgeon of the Naval Hospital of *Haslar*,) and in candour no testimony should be suppressed, "that during his service of three years in that institution, so very few cases have presented themselves, that he is of opinion that the nature of a seaman's employ by no means particularly disposes him to such an affection; but that *Hernia* is more common, and occasioned by exertions aloft productive of a state of the ring favourable to the extension of the *abdominal* contents." The Surgeon of the flag-ship, the *Queen Charlotte*, at *Portsmouth*, (Mr. Hastein,) in his letter states, that "varicose veins among seamen generally occur in tall men, and those who have ulcerated legs, by which the valves are broken down,—*Hernia*, from exertion on the yards, and many other causes that exist among seamen."

A communication on the same subject has also been received

from Mr. Hammick, Surgeon of the *Navy Hospital at Plymouth*, who, in conference with Mr. Baillie, Surgeon of the *Flag-ship*, "agrees in thinking that seamen are *not more* subject to *varicose affections of the legs, or nodulous swellings of the veins*, than any other class of people; and that of the *number* of cases of the kind which have fallen under Mr. Hammick's observation, "the greater part have appeared *not in the seamen*, (the *able seamen* whose occupation is about the rigging and the masts) "—but in the *landsmen*—men who are *sailors*, but not *seamen*, "nor have been regularly bred to the sea, and who, not being skilled to climb the shrouds, are, for the most part, employed about the decks."—As to *Hernia*, "both Mr. Hammick and Mr. Baillie are of opinion, that seamen are more liable than other men to this disease, not from climbing the shrouds, but from the particular mode of exertion they are obliged to use in *reefing* and *furling* the sails: they are accustomed then to lie across the yards, and bending over the yard in that posture to apply their strength to the sail; a very great pressure upon the abdomen is thus created, and at the same time, while in that disadvantageous posture, a great effort of muscular strength is required, and a strain takes place, which is very creative of *Hernia*."

An opinion has also been stated by a Member of the Victualling Board, "that in the *medical* department of the Navy the diseases (mentioned in the enquiry) have not been found more frequent among seamen than in other walks of life."—The enquiry, in this instance, extended only to *varicose affections*.

As these *professional opinions*, from highly-respected authorities, appear at first sight to be in some respects in collision, the undersigned considered it as his duty to  *withhold no part of the communications.*\* Anxious only to procure the *most authentic information*, he applied, immediately, to the Port-Admirals on the stations of *Portsmouth* and *Plymouth*, who, together with other official authorities, most promptly afforded every facility. Without presuming to offer any observation on the merits of the strictly professional *medical question*, it may be allowable to observe, that so far as *varicose affection* is to be traced among seamen in Naval Hospitals, it must be confined to *very narrow limits*, as the information, on every side, goes to prove that

\* See the apparent discrepancy between these opinions reconciled, in the preceding observations of Dr. Good.

seamen in the strength and vigour of life, think too lightly of the affection, and it rarely becomes a subject of *medical treatment*, or more than of casual observation among them, till they reach an advanced age, when it often becomes a serious evil.

SUCH IS THE EVIDENCE which, in the course of this investigation, has been obtained by the undersigned. Uniform in his conviction of the substantive importance of the enquiry, he has not been diverted from it by the declaration, amounting to a constructive **INTERDICT**,) "that the question respecting the use of *Tread-Mills* has "been very ABSURDLY made." Such a declaration, proceeding from the Chairman of the Magistracy, under whose immediate authority the much celebrated mill of *Brixton* was established, must necessarily carry with it a influence commensurate to the *local* relation and high personal respectability of the worthy presiding Magistrate who conceived it his duty to express his sentiments with so little qualification.—But, at a moment when a **GENERAL GAOL BILL** is well known to be on the eve of *revival* in Parliament and to the effect, as it is understood, of that which, in the *last Session*, had nearly passed into a law,—being averted only by the *prorogation*,—a Bill which abrogated much of the existing law relating to the **REGULATIONS OF PRISON LABOUR**, and which was transmitted in extended circulation, immediately from the office of the Principal Secretary of State, to Magistrates of known intelligence and experience throughout the kingdom,—under these circumstances is it necessary to ask the motive of such an official communication?—And is it to be supposed, that "to **VISIT—INSPECT—AND REPORT**"—can be less the object of the *new*, than of the *old* provision of the statute?—In the pages of fable, indeed, and in the regions even beyond the *Stygian flood*, the extravagance of the Poet has figured an **INTERDICT** somewhat in unison with what has been sought to be sanctioned on more *tangible* ground —

“ **NE QUÆRE DOCERI**

“ Quam poenam aut quæ forna viros fortunave mersit,  
“ Saxum ingens volvunt alii, **RADIISVE ROTARUM**  
“ Districti pendent,” &c.—*AEn. vi. 614.*

But—powerfully as the impulse may continue to be urged in favour of this *novel system of prison labour*, no inconsiderable number of persons, including acting Magistrates of great intel-

ligence and long experience, will still be found to object to it:—and, with immediate reference to the medical evidence, some may be even disposed to view the *Tread-Mill* as claiming to be legalized as a sort of STEPPING-STONE TO A POOR-HOUSE.\* The professional gentlemen of *Edinburgh* and *Dublin*, and even the public in general, have, hitherto, had a very limited view of a question opening to consequences of a deep and serious nature.—It is not, however, within the effort of an individual to stem the current of popular opinion running with its present precipitancy: the question must come forward in a *more distinct and embodied form*,—but, it is only in the highest assembly of the state, where the subject can be adequately developed,—AND EVEN THERE, MANY IMPORTANT FACTS WILL, WITH DIFFICULTY, BE REACHED.†

J. C. H.

\*\* In the preceding communications from Edinburgh, it appears that, in the *Bridewell*, an effort has been made to diminish the risk of casualties, by “*sinking one half of the semi-diameter of the Tread-Wheel in the ground*, so that the prisoner slips gently down with his feet into a pit, until he thinks proper to rise and resume his labour.” Of such improvements it may be truly said with Dr. Good, (p. 8,) that “what is founded on an essentially wrong principle, no modification can right.” It must be recollectcd that the objection

\* Vide the Statement of proceedings in the Division of *Cosford*, in the County of *Suffolk*, which seems to verify this conjecture.

† Since the original copy of the preceding pages was transmitted to his Majesty’s Principal Secretary of State for the Home Department, that Minister has thought it advisable to move IN PARLIAMENT, (on the 12th of March,) “an Address to his Majesty that he will be pleased to order the production of the correspondence on the subject of the introduction of the Tread-Mills into Gaols and Houses of Correction.” It is not at present known to what extent the effect of this motion may be carried. It is possible, as the *preceding correspondence* is not technically official,—not resulting from an *official enquiry in limine*,—it may not be considered as falling within the *letter of the motion*; and some part of the notes would necessarily be considered as irrelevant to the immediate object of the motion. Under these circumstances, the circulation of these pages is not withheld,—nor will the *motion IN PARLIAMENT* be considered as a *recognition of the inconsequence or “ABSURDITY” of the original inquiry*.

taken to the *Tread-Mills*, so far as noticed by Dr. Good and the undersigned, was *with reference* to the inspection of those at *Cold-Bath Fields*, accompanied as they are with all the visible and *invisible* sources of casualty, as already stated, particularly in the letter of Nov. 9, of this last physician, reciting the result of his inspection, accompanied by Mr. *Cole*, surgeon of the *Northern Dispensary*, and Mr. *Webbe*, the surgeon of the *prison*, together with two of the assistant keepers\*—and further, in the letter of the 23d of November following. That wheels, so *diminutive* as those stated to be at Edinburgh, and possibly unconnected with each other, may admit, when compared with the greater evil, of some diminution of mischief, it is not pretended to be denied:—and whatever can approach that *diminution*, ought to be attempted in every prison where these hazardous experimental inflictions are allowed to find admission.

\* Vide also Letter of Dr. Good, of the 7th of June, 1823, reciting the circumstances of this last inspection of the *Tread-Machinery* at *Cold-Bath-Fields*, and his examination of those persons who had worked upon it, or superintended the working, especially of the *females*.

# Prison Labour, &c.

No. III.

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[\*\*\* It has been considered of convenient reference to introduce the whole of the Parliamentary Return.]

Copies of all Communications made to, or received by the Secretary of State for the Home Department, respecting the of TREAD WHEELS, in Gaols or Houses of Correction.

Ordered, by The House of Commons, to be Printed,  
10 March 1823.

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*Copy of a Letter, addressed, by Mr. Secretary Peel's directions, to the Visiting Magistrates of the several Gaols and Houses of Correction, where Tread Wheels have been established; dated Whitehall, January 18th, 1823.*

GENTLEMEN,

I AM directed, by Mr. Secretary Peel, to request, that you will inform him, how long the Tread Wheel, which he understands to be in Prison, has been in operation; and whether you have found any injurious effects produced by it, on the bodies or legs of the Prisoners who have worked thereat.

I have, &c. (signed) H. HOBHOUSE.

*Communications have been received from*

## BERKSHIRE.

Sir, Reading, January 25th, 1823.

We beg leave to acknowledge the receipt of your letter, and to state for the information of Mr. Secretary Peel, that the Tread Mill in the house of correction at Reading, has been in constant use from the 25th of November last, to the present time, employing on an average about thirty-five or forty prisoners per day, and that hitherto we have not discovered that any injurious effects whatever have been produced upon the bodies or legs of the prisoners by that species of labour.

We have the honour to be, &c. &c. &c.

Robt. Palmer.

*H. E. St. John,*

## H. Hobhouse, Esq. Visiting Magistrates at Reading.

Sir, Holme Park, Reading, Feb. 19th, 1823.

I BEG leave to enclose the opinion of the medical gentlemen in attendance at the gaol, relative to the health of prisoners employed at the Tread Mill, which I trust will prove satisfactory.

I have the honour to be, &c.

*Robt. Palmer, Visiting Magistrate.*

Dear Sir,

Feb. 19, 1823.

In reply to your letter directed to Mr. Workman, I beg leave to inform you that it his opinion as well as my own, that no injurious effects have been produced on the bodies or limbs of the prisoners employed in the Tread-Mill, since the commencement of its operation.

I remain, &c.

*John Bulley, surgeon to the gaol.*

Sir,

Reading, February 18th, 1823.

I SHOULD have answered your letter of yesterday had I not waited for Mr. Bulley's opinion respecting the men employed in the Tread Mill: I have been in attendance almost daily at the gaol, and have never heard any of the men complain of the labour; in short, I think they were never in a more healthy state than they are at the present time.

I beg leave to apologize for not answering your letter earlier, and remain, &c.

*Maurice Workman.*

Sir, Holme Park, Reading, March 6th, 1823.

HAVING had the honour of transmitting to you a very satisfactory account of the health of the prisoners employed at the Tread Mill in Reading gaol, and the surgeon's certificate to that effect, I am sorry now to have to communicate that on the very next day after I had made the above report, an accident occurred to one of the prisoners while at work upon the wheel. I have thought it right to obtain the surgeon's certificate relative to this case, and to transmit it to you, in order to check any incorrect statement that might be made of the circumstance.

This is certainly the first accident that has occurred in the gaol at Reading since the Tread Mill has been established.

I have, &c.

*Robt. Palmer, Visiting Magistrate.*

Reading, March 5th, 1823.

THIS is to certify, that William Strange is afflicted with a rupture, which took place whilst working on the Tread Mill by a violent fit of coughing, and in all probability would have happened independent of the exertion on the Mill.

*John Bulley, surgeon to the gaol.*

## BEDFORDSHIRE.

Sir,

Bedford, January 23, 1823.

A **DISCIPLINE** Mill with Tread Wheels, was added to the new house of correction for this county in the year 1821; the prisoners were set to work at it early in the month of January 1822; the average number of prisoners thus employed has been about thirty, (*i. e.* from 24 to 36); two hundred and twelve prisoners have undergone this discipline for the whole terms of their respective sentences, varying from two weeks to twelve months; during the whole of that period I have regularly visited the prison, and other visiting justices have also regularly visited it. We have examined the effect of this mode of discipline with scrupulous attention, and I am convinced, that no injurious result has arisen from it either to the general health or to the body, or to the limbs of any prisoner who has been thus employed in the said new house of correction.

I beg leave to add, that the justices of this county are so thoroughly convinced of the superiority of this species of labour for prison discipline, that they have ordered a similar mill with Tread Wheels to be erected, and worked at the old house of correction for this county, in addition to the mill now there, which is worked by crank machinery.

I take the liberty of adding a minute, which was entered in the journal of the visiting justices, on Tuesday the 14th of this month, which I hope will exonerate me from the imputation of presumption, in thus sending my individual answer to an official letter addressed to the visiting magistrates generally. But as the Rev. Dr. Moore, my colleague, resides at no great distance from Bedford, I shall send this letter to him for his perusal; and if he should entirely concur with me as to the correctness of my statement, and if he should feel that his convictions coincide with those

which I have here expressed, he will add his signature, so as to make this our joint answer.

I have the honour to be, &c. &c. &c.

*Philip Hunt,*

One of the Visiting Magistrates of the gaol and houses of correction in and for the county of Bedford.

*Robert Moore,*

A Visiting Magistrate also of the gaol and houses of correction in and for the said county.

New House of Correction, Bedfordshire, Tuesday,  
January 14, 1823.

At a weekly meeting of the Visiting Justices;  
Present,

The Rev. Dr. *Hunt*, in the chair; the Rev. Dr. *Moore*, visiting justices.

Present also, the Rev. Mr. *Webster*, J. P. for Bedfordshire.

*Thomas Lovesy* a convict, was brought into the committee-room. He has been imprisoned and regularly kept to hard labour on the Tread Wheel for twelve months, (except during the few days when it has been his duty to assist in the infirmary, or to keep in order the ward in which the prisoners of his class are confined).

The said convict, whose term of imprisonment will expire, and whose discharge will take place to-morrow, says, "that he has enjoyed perfect health during the whole of the period of his year's hard labour at the Tread Mill: that he has never felt any pain in the loins or shoulders, or in the tendons near the heel; that he has experienced no numbness of hands or arms; that he has never heard any complaint from his fellow convicts, except, that when some of them first began to labour on the Wheel in their high shoes, the stepping galled their ankles; but that after they put on proper shoes, no inconvenience was experienced by them."

This statement was made in presence of Mr. *Millington*

(the county surveyor) and of Mr. Tregenza, the governor of the new house of correction. And Mr. Tregenza remarked, that he is sure every convict in the prison, if he were to speak the truth, would give the same report of the effects of the Tread Wheel as Thomas Lovesy had just done.

The undersigned visiting magistrates also add their testimony in favour of the Tread Wheel, as the best means of keeping convicts employed in hard labour.

(signed) *Philip Hunt,* } Visiting Justices.  
*Robert Moore,* }  
*James Webster, J. P. for Bedfordshire.*

Mr. Tregenza, the governor, is authorized and permitted to give such a report of the effects produced by the Tread Wheel discipline, to any official enquiries that may be addressed to him, as he may feel that he can give, consistently with his own conscientious convictions, his observation, and experience.

(signed) *Philip Hunt.*

Bedford, January 23, 1823.

As far as my experience enables me to form an opinion, the labour of the Tread Mill tends rather to preserve the prisoners in health than in any way to injure them.

(signed) *J. H. Bowers,*  
Chaplain to the gaol and house of correction  
for the county of Bedford.

I AM of opinion, that the labour of the Tread Wheel has not the least tendency to injure the health of the persons employed upon it; and as far as my experience has gone, that it is not at all likely to induce any of those diseases which have been attributed to its use.

(signed) *C. Short, surgeon.*

County of Bedford to wit. January 23, 1823.  
The labour of the Tread Mill is, in my opinion, quite

sufficient for constant employment; but not severe, or in any way injurious to the health of the prisoners.

(signed) *John Tregenza,*  
Governor of the new house of eorrectio[n].

Sir,

Bedford, January 23, 1823.

AS soon as our Tread Mill was completed, I visited the new house of correction, at Brixton, and ascertained the mode of setting the prisoners to work, together with the intervals or pauses allowed, and such other details as might prevent any prejudices arising from an injudicious application of this new species of labour; and I am happy to say, that only one cause of complaint, connected with the machinery, presented itself to me, which was immediately and effectually removed.

The hand-rail, which had been fixed in a line nearly vertical over the head of the prisoner at work, caused a pain in the loins, but by throwing the rail forward, so as to give the body of each man at work the position of rather leaning forward, all undue pressure on the loins was avoided, and the labour became unoppressive.

I also venture to add, that if this circumstance were attended to in other Tread Mills, and if the intervals between each step were limited to *seven or eight inches*, no injury to the body or limbs would be likely to arise. I mention this last circumstance because I have been informed that there are Tread Wheels in which the intervals between the wheels are upwards of *two feet and a half*, and where the number of steps in a minute exceed the rate observed in our comparatively easy machinery.

I have, &c.

II. Hobhouse, Esq.

(signed) *P. Hunt.*

#### BUCKINGHAMSHIRE.

Sir,

Aylesbury, 25th January, 1823.

IN answer to your letter of the 22nd instant, requesting a communication from us respecting the Tread Mill in this

gaol, for the information of Mr. Secretary Peel, we have the honour to acquaint you, that the Mill has been in operation from January, 1819, and that the labour has been invariably attended with salutary effects; nor has any instance of injury to the bodies or legs of the men arisen from their employment in it.

On reference to the reports, we find that the health of the prisoners has never been so good as since the introduction of this kind of labour.

We have the honour to be, &c.

(signed) *John Dashwood King.*  
*C. R. Ashfield.*

Justices, Visitors of the gaol and house of  
H. Hobhouse, Esq. correction at Aylesbury.

Aylesbury, February 22nd, 1823.

I do hereby certify, that the prisoners in the gaol at Aylesbury, in the county of Buckingham, are in general healthy and free from any epidemical disease, which I attribute to the employment on the Tread Mill, affording much exercise and conducive to their general health, without any inconvenience to the bodies or limbs of the prisoners.

(signed) *William Hayward, surgeon.*

#### CAMBRIDGESHIRE.

Sir,

Cambridge, 28th January, 1823.

IN reply to the letter addressed to me, at your desire, by Mr. Hobhouse, requesting to be informed how long the Tread Wheel has been in operation in the town gaol at Cambridge, and whether any injurious effects have been found by it, I have the honour to acquaint you that the Tread Wheel has been in use at the town gaol from the 2d day of October last, without producing any injurious effects on the bodies or legs of the prisoners, but has, on the contrary, had the most beneficial effect on the health of the prisoners who work thereat. I have, &c.

Mr. Secretary Peel, (signed) *John Ingle, mayor.*  
&c. &c. &c.

Sir,

Cambridge, February 17th 1823.

I am of opinion that the healths of the prisoners have been materially improved by their working at the Tread-Mill.

I have never seen one case where the limbs or the bodily health have been affected.

I am, &amp;c.

(signed) *A. S. Abbott*, surgeon.

Sir,

Cambridge, February 6th, 1823.

In answer to the inquiries of Mr. Secretary Peel, we beg leave to inform him, that the Tread Mill in the county house of correction at Cambridge, has been in full operation for one whole year, from the 10th of January last, without interruption.

We have not found any injurious effects produced upon the bodies or legs of the prisoners by the labour, and the surgeon is of opinion that so far from being hurtful it is beneficial to the general health of the prisoners. There are several men who have been at work in the Wheel from the commencement (about 56 weeks) they are now in good health, and as active as when they first came.

We are, &amp;c.

(signed)	<i>James Hicks,</i>	}	Visiting Magistrates.
<i>Alex. Cotton,..</i>			
<i>Francis Pym, junr.</i>			
<i>Wm. Leworthy,</i>			

H. Hobhouse, Esq.  
&c. &c. &c.

## DEVONSHIRE.

Sir,

Exeter, 20th January, 1823.

In answer to your letter of the 18th January instant, directed to the visiting magistrates of the house of correction for the county of Devon, and given to me whilst attending the quarter sessions, I return, enclosed, the report of the governor of the house of correction, from which you will find that no mischief whatever has attended the use of the Tread Mill from the time of its erection, and I have never heard a complaint of any danger apprehended; to be more fully satisfied of the probability of future evil, I have

this day measured the rising of the step on the Wheel, which I find to be precisely seven inches and a quarter only. The rail whieh those on the Wheel hold by, is plaed about four feet above the level of the step they stand on, so that the workers ean, and oecasionally do rest the elbow on it, as suits their pleasure, when a ehangce of position is desirable, and whieh is done with the greatest facility; one foot always rests flat upon the step till the other reaches the next aseent, and the slightest hold on the rail perfectly seeures them from falling; this I ascertained by actual experiment in the Wheel. The governor mentioned to me the faet of a young woman who used to go on with her knitting while she was at work on the wheel.

I made many enquiries of those on the Wheel as to the sensations and effets produced by this continued labour; I learned only that the museles of the legs sometimes ached, and that work on the Wheel in warm weather would produee a great perspiration. I heard no complaint whatever or objection from the females that had been stationed on the Wheel, or from the governor's wife who superintends this department; from all which I am well satisfied, that no danger is ever likely to arise in the ease of male convicts, nor in the ease of females when they are properly attended to, and that happier means of labour, in regard to the health and general welfare of the eonvicts employed, have never yet been suggested.

I am, &c.

*Wm. Tucker.*

Sir,

Exeter, February 14th, 1823.

IN reply to your letter with which I have been honoured, I beg leave to state, that not any ease has oecurred in the Devon house of eorrection, from the Tread Mill discipline, either to the bodies or legs of the prisoners: I do not conceive any injury to the latter can arise, except from wilful negligenee of the individual. I am of opinion, whieh has been eonfirmed by inquiry, that after a few days work on the Tread Mill, the muscles of the legs, thighs,

and back, becoming habituated to it, the employment on the Mill ceases to be a punishment; what effect on health the Mill may produce in the summer season, I cannot now pretend to judge, but I do not anticipate any, as exposure to the air and regular exercise, are the best preservatives of health. The diseases generally existing at different seasons of the year in the house of correction, are fewer (most frequently created there and kept up, from over crowded and ill-ventilated cells) debility for want of food before admission, venereal complaints, and itch.

I remain, &c. &c.

*Samuel Luscombe, surgeon.*

To the Chairman of the Devon Epiphany Quarter Sessions.

20th January, 1823.

Sir,

Devon County Bridewell.

In answer to the enquiries given me this morning as to the injurious effects, if any, and of what kind, produced on the bodies or legs of the prisoners who have worked on the Tread Wheel, erected in the house of correction of this county, of which I have the government, I have to certify to the court, that the Tread Mill has been in full operation ever since the last Midsummer sessions, and on an average from seventy-five to eighty prisoners have been daily employed on the Wheels, the proportion of females being very small, not amounting to more than ten or twelve at any time, and generally not exceeding six or eight. The male prisoners when at work, are three-fourths on the Wheels, and one fourth at rest; the females, one half on the Wheel and the other half at rest, and during the six months the Mill has been at work, I have never heard of one prisoner, male or female, receiving any injury either in their limbs or general health, and as far as I am capable of forming a judgment, I consider the labour at the Tread Mill not as injurious, but conducive to the health of the prisoners.

I am, &c. &c.

*William Cole, governor.*

## DORSETSHIRE.

Sir,

Kingston, February 12th, 1823.

I HAVE the honour, on the part of the visiting magistrates of the gaol and house of correction, at Dorchester, to report to you, in answer to your letter of the 7th instant, that the Tread Mill has been in operation, as to the male prisoners, since the 12th of January, 1822, and that no injurious effects have been produced by it, on the bodies or legs of the male prisoners who have worked at it.

They further report with regard to the female prisoners, who have been so employed about five months, that they have occasionally been subject to *certain complaints* which the surgeon of the gaol has attributed to the working at the Wheel, and that in such cases the women so affected have been taken from the work till those complaints have subsided.

I have, &amp;c.

(signed) W. M. Pitt.

Sir, Castle, Dorchester, 26th December, 1822.

I HAVE the honour to inform you, in answer to your letter of the 24th December, that no ill effects have been produced on the muscles of the legs of those prisoners who have been employed on the new principle Mill now in use.

I have, &amp;c.

(signed) R. W. Andrews.

Dorchester, Dorset, February 17th, 1823.

Gentlemen,

I HAVE the honour to report, in answer to your inquiry respecting the effects of the Tread Mill upon the persons of the prisoners confined in the Dorchester gaol, that I have not observed any injurious effects whatever, either on the bodies or limbs of the male prisoners who have been so employed, but that a few of the female prisoners have been

subjected to certain complaints incidental to women, rather more than usual, in my opinion the consequence of the exertion and exposure to cold.

I have, &c.

(signed) *John Birt Davies, surgeon,*  
Acting for Christ. Arden, surgeon to the Dorset county gaol.

The Visiting Magistrates,  
of the county gaol, Dorchester.

### DURHAM.

Sir, Durham Gaol, 31st January, 1823.

IN answer to your letter of the 22d instant, we beg to observe, the Tread Mill has been in operation at this prison from the month of April last, and its effects have not only been found salutary in the way of correction, but unattended with any inconvenience or injurious consequences to the persons employed in working it. The prison has been regularly visited, and no complaint has ever been made either to the visiting magistrates or governor of the gaol, that this employment at the Wheel has occasioned any cramp or contraction in the limbs. It may be also proper to notice, that we have not thought it advisable to employ females in working the Tread Wheel.

We have the honour to be, &c. &c. &c.

The Right Honourable the Secretary of State, H. D.	<i>Edward Davison,</i> <i>Thomas Hopper,</i> <i>W. N. Darnell,</i>
-------------------------------------------------------	--------------------------------------------------------------------------

February 24, 1823.

HAVING regularly attended the prisoners employed on the Tread Mill attached to this prison, since its commencement in April last, during which period it has been in constant operation.

I am confident, that not any of the prisoners have sustained the slightest injury either in their limbs or bodies from its employment ; and I am of opinion, if persevered in

with prudence, and not too long continued, no serious effects are to be apprehended from its use.

*William Green,*

Surgeon, &c. to the gaol and House of Correction,  
Durham.

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### ESSEX.

Sir,

Chelmsford, February 5th, 1823.

We beg leave to state, in reply to a letter addressed to us by Mr. Hobhouse, dated the 18th ult. for your information, that the Tread Wheel erected in the house of correction in this town, has been in operation since the first of October last; and that (after inquiry made of the medical attendant and the governor) we do not find that, hitherto, any injurious effects have been produced by the use of it upon the bodies or legs of the prisoners employed upon it.

The medical attendant states to us that he knows of no instances of injury; but that he considers the labour on the Wheel has been found to be generally salutary to the health of the prisoners.

We have, &c.

(signed)	<i>T. G. Bramston,</i>	<i>J. R. S. Philips.</i>
	<i>John J. Strutt,</i>	<i>B. H. Bridges,</i>
	<i>John Disney,</i>	<i>C. T. Tower.</i>
	<i>J. M'Lachlan.</i>	

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### GLOUCESTERSHIRE.

Sir, Gloucester County Prison, January 27th, 1823.

In reply to the queries contained in your letter of the 22d instant, I have to inform you, that the Tread Wheel erected in the Gloucester penitentiary, has been in operation for three weeks; and I have the authority of the surgeon of the prison for stating, that no injurious effects whatever have hitherto been produced on the bodies or

legs of the prisoners, who have been employed in working it.

I have the honour to be, &c. &c. &c.

*S. Commelin,*

Visiting Magistrate of the county prison.

Sir, Horsley House of Correction, January, 1823.

In reply to your letter of the 22d of this month, the grinding mill worked by a Tread Wheel erected at this house of correction, was completed on the 17th of last month.

It has been in full operation for the last twenty days.

Eighteen male prisoners are employed to work it, twelve on and six off the Wheel, from eight A. M. to half past six P. M. one hour and a half being allowed them for meals out of that time. Each prisoner in succession is twenty-four minutes at work, and twelve minutes at rest.

We have not found, nor from the experience we have had, do we anticipate any injurious effects on the bodies or legs of the men employed; nor has a single complaint been made against this description of hard labour by any of the prisoners.

We have the honour to be, &c

*P. B. Purnell,*

Henry Hobhouse, Esq. Peter Hawker.

one of His Majesty's Under Secretaries of State,

&c. &c. &c.

## HERTFORDSHIRE.

Sir,

Hertford, Jan. 26th.

I HAVE the honour to transmit the certificate respecting the Tread Wheel in the house of correction at Hertford, signed by five of the visiting magistrates, all that are at present in the neighbourhood, except Mr. Daniell, who is at this time the high sheriff for the county, and who therefore during that time does not act.

I have the honour, &c.

*Thomas Lloyd.*

Sir,

WE the undersigned, visiting magistrates of the gaol and house of correction at Hertford, certify, for the information of Mr. Secretary Peel, that the Tread Wheel has been in operation daily (Sundays excepted,) from the 1st of August 1820, to the present time, and that no injurious effects whatever have been produced by it either on the bodies or legs of the prisoners who have worked thereat.

*H. Ridley, D. D.*      *Thomas Lloyd, Clerk.*  
*W. Baker,*                *William Dent.*  
*Culling Smith.*

I, THE undersigned surgeon and apothecary to the gaol and house of correction in the county of Hertford, do hereby certify, that from the 1st of August 1820, the day on which the Tread Wheel was put into operation, not a single prisoner has ever suffered, either in his body, limbs, or general health, in working it.

*Thomas Colbeck, surgeon, &c.*

### LANCASHIRE.

Sir,

Lancaster, 28th January, 1823.

IN answer to your inquiry respecting the Tread Mill system of labour, we beg leave to inform you, that the Mill has been used since the 25th day of October last, for the purpose of pumping a supply of water for the use of the prison. We cannot find that any injurious effects have been produced on the bodies or legs of the prisoners, except in the case of James Timperley, who has had a degree of inflammation in his groin, which the surgeon believes to have arisen from the unsound state of his body, he having recently had the venereal disease. The rest of the prisoners thus employed, nine in number, appear healthy, and make no complaint.

We have the honour to be, &c.

(signed) *Edmund Hornby, V. J. P.*

*H. Hobhouse, Esq.*                *Richard Atkinson, V. J. P.*  
Under Secretary of State, &c.

Gentlemen,

Lancaster, 19th February, 1823.

In reply to your inquiry, as to the effect of the Tread Mill system of labour on the health of the prisoners so employed, I have to observe, that where the men are free from rupture or disease in the groin, either from syphilis or serophula, no ill effects have ensued, either on the bodies or limbs, nor do I apprehend any injurious consequences are likely to arise from it; for on examining those men who have worked longest at the Wheel, I have found them in perfect health, and, notwithstanding their expression of dislike to the work, have admitted that they have gained weight since they have been so employed.

I have the honour to be, &c.

The Visiting Magistrates      (signed)      *John Smith,*  
of Lancaster castle.

### LEICESTERSHIRE.

Questions for inquiry, as to the prisoners suffering any ill effects from working in the Wheel at the House of Correction for the county of Leicester.

1. The time the Mill has been at work?—About three years and a half.
2. The average number of men employed in it for any given time?—Not more than 50, or less than 20.
3. Whether any disorder in the legs has been attributable to this mode of employing prisoners?—The governor never knew of any (the least) ill effects to be produced on the legs of the prisoners employed by working at the Wheel.

The Surgeon confirms the above statement.

*W. R. Tyson,*, } Visiting Justices.  
*J. King.*

### MIDDLESEX.

Sir,      Sessions House, Clerkenwell, 3d Feb. 1823.

I AM directed by the visiting justices of the county of Middlesex, in answer to your letter of the 18th ult. to in-

form you that the Tread Wheel in the Cold Bath Fields prison has been in operation about seven months, and has not produced any injurious effects on the bodies or legs of the prisoners who have worked thereat.

I have the honour to be, &c. &c.

H. Hobhouse, Esq.  
&c. &c.

*Thomas Stirling.*

Cold Bath Square, 24th February, 1823.

DURING the eight months the Tread Mill has been employed at the house of correction, Cold Bath Fields, I have never in any one instance known any ill effects produced on the frame of either the men or women who have worked on the Wheel, nor can I tell whether any are likely to follow upon this kind of discipline.

(signed) *Thomas Webbe, Surgeon.*

#### NORFOLK.

Sir, Swaffham, 25th January, 1823.

BEING one of the visiting magistrates of the Swaffham bridewell, and resident upon the spot, and having shown your letter of the 18th instant to each of the other visiting magistrates as I have seen, I send you the following answer to it, with their concurrence.

The Tread Wheel has been in use here about four months, and during that time no injurious effects whatever have been experienced to the health of the prisoners; indeed, we finished our report to the sessions last week, with observing that, "though there had been in general a large number of prisoners, they have been very healthy; which may, perhaps, in some measure be owing to the regular exercise on the Tread Wheel." We have had about 70 prisoners during that time.

I have also seen the medical attendant on the bridewell, and his opinion likewise is that the exercise of the Tread Wheel is very salutary.

I am, &c.

H. Hobhouse, Esq.

(signed) *Wm. Yonge.*

## PEMBROKESHIRE.

Sir, Haverfordwest, 24th January 1823.

In reply to a letter, of the date of January 22, in regard to the operation of the Tread Wheel erected in our county gaol, we have the honour to inform you, for the information of Mr. Seeretary Peel, that the Tread Mill has been in full employ since the 2d day of July 1821, and that no injurious effects whatever have been produced either on the bodies or legs of the prisoners worked thereat.

We have the honour to be, &c. &c.

*Thos. Martin,*

*G. Harris,*

*H. D. Jones, M. D.*

Visiting Magistrates of the county gaol and house of correction for the county of Pembroke.

HAVING been applied to by the visiting magistrates of the gaol of the county of Pembroke, and town and county of Haverfordwest, for my opinion, as to the effects produced upon the bodies and limbs of the prisoners employed on the Tread Wheel, since its being in operation ;—

I do hereby certify, that from a careful attention to the prisoners employed, I can safely declare, that I have not seen a single instance of any bad effects produced by the Tread Wheel on the bodies or limbs of any one of them.

Dated at Haverford West, this 22d day of February, 1823.

*William Harris, Surgeon.*

## SUFFOLK.

Sir, Bury St. Edmund's, 9th February, 1823.

I HAVE the honour to inform you, that the Mill in question, the first of the kind ever erected, has been in use since November 1819 ; that the average number in constant work since that time, may be reckoned at fifty ; the num-

ber at present, and for some considerable time past, is eighty-four, which it was originally calculated to employ.

I have further to state, that having been a visiting magistrate for many years, long prior to the erection of the Mill, and residing but a short distance from the gaol, I have watched, with much care, the operation and effect of the Mill, and I consider it to answer the intended purpose most perfectly; and I have not myself the least reason to believe, nor have I ever heard from the governor or the surgeon of the gaol, or from any other person, that the working on the Tread Mill impaired, in the smallest degree, the health or physical powers of the prisoners so employed, or that they sustained the least injury, either in their bodies or legs.

I sent to the surgeon of the gaol for his report on the subject, which I have enclosed.

I have the honour to be, &c.

*J. Benjafield,*  
Visiting Magistrate.

Sir,

February 9th, 1823.

IN answer to your note, I beg leave to inform you, that I have constantly attended the gaol as surgeon; and since the erection of the Tread Mill, which is now upwards of three years, I have never met with a single instance of injury arising from that mode of employment; and I am further of opinion, that *no rupture*, or indeed any injury whatever, is likely to be produced, as the body of the prisoner is kept in an upright position, and the equilibrium preserved by a hand rail.

I am, &c. &c.

To J. Benjafield, Esq.

*George Hubbard.*

Sir, Shire Hall, Ipswich, February 15th, 1823.

The Tread Mill in the county gaol of this place has been worked rather more than a twelve month, during which period no instances have occurred in which such work has

been found productive of any injurious effects to the bodies or legs of the prisoners employed upon it. The surgeon has been strictly examined by the magistrates as to his opinion upon the subject, and he decidedly pronounces, that it is by no means detrimental to their health.

I have, &c. &c.

*Chas. Berners.*

To the Visiting Magistrates of the Gaol and House of Correction at Ipswich, in the County of Suffolk,

February 15th, 1823.

HAVING received your commands for a certificate of the effects produced by the Tread Mill on the body and limbs of the prisoners working on the said Wheel now in use in the house of correction ; —

I hereby certify, that during the fifteen months the Tread Mill has been employed in the above prison, I have never witnessd a solitary instance of its injurious effects ; on the contrary, by a just application, as directed by myself and gaoler, I have invariably found the employmient on the Wheel to be beneficial, inasmuch as it has appeared to me that the health of the prisoners has been materially increased by it.

*George Stebbing,*

Surgeon to the county gaol and house of correction  
at Ipswich, in Suffolk.

### SURREY.

House of Correction, Guildford, January 9th, 1823.  
Sir,

As chairman of the committee of visiting magistrates, I think I cannot better reply to your enquiry, than by copying an extract from the report of that committee to the Epiphany sessions, and by enclosing a letter from Mr. Jackson, the surgeon, in answer to my letter enclosing them a copy of Mr. Peel's request. The wheel has been in operation since the beginning of last August.

## Copy Extract of Report to Quarter Sessions.

THE reports of the surgeon are highly satisfactory, and induce your committee to believe, not only that the situation of this prison is particularly healthy, but that the system of discipline established in it does not appear to be productive of any disease or infirmity to the prisoners subject to it.

(signed) *G. Holme Sumner, Rev. Chas. Stewart,  
Francis Wightwick. Wm. Holme Sumner.  
G. W. Onslow.*

House of Correction, Guildford, January 21st, 1823.

Sir,

IN reply to your letter of yesterday, I beg leave to say, that during the time the Tread Mill has been in existence, I have not witnessed a single case of sickness on the part of the prisoners that could be attributed to its use, nor can I conceive that any injurious effects are likely to be produced on the bodies or legs of those who are employed at it.

The prisoners are universally in good health, with the exception of three men who were labouring under disease at the time of admission.

G. H. Sumner, Esq.

I am, &c.

(signed) *Edward Jackson, surgeon.*

Sir, Streatham Park, 30th December, 1822.

ON Friday last I visited the house of correction at Brixton Hill, and particularly inquired of the governor, Mr. Green, who has been there in that office ever since the last Epiphany session, whether he ever knew or heard from any of the prisoners under his care, that the labour of the Tread Mill had affected their limbs or muscles in any way, so as to be injurious to them; and his reply was prompt and distinct. He said he never heard of such a complaint, or of any complaint, of the like kind from any one of them; he stated, that he recollects asking a woman who had

been at the Wheel for a month awhile ago, and who went to work with a rheumatic complaint, how she felt when she went away; and she replied, that her rheumatism was completely cured.

I now enclose the copy of a letter from Mr. Gardiner, who has been the surgeon to the house of correction at Brixton ever since its establishment, and who is well known to be a man of very superior medical attainments, and of a remarkably cool and careful judgment, which contains his deliberate opinion upon the question.

I am, &c.

*Thomas Harrison.*

Sir, Streatham, 28th December, 1822.

In answer to your inquiry, whether the disease, called varicose veins, ever occurred amongst the prisoners at Brixton house of correction, in consequence of their labour at the Tread Mill, I have to state, that ever since the Mill has been established in October, 1821, no such disease has ever been observed. Indeed, as far as my observation goes, I should conceive that such a disease, instead of being produced, would much more probably be prevented, in as much as, from the kind and degree of exercise made use of, the circulation in the limbs being thereby promoted, morbid distension of the vessels will be less likely to take place.

I am, &c.

*Wm. Gardiner.*

To Thomas Harrison, Esq.

Chairman of the Quarter Sessions in the county of Surrey.

### SUSSEX.

Sir, Lewes, 11th February, 1823.

In reply to Mr. Hobhouse's letter of the 28th ult. we have to state, that the Tread Wheel was first set up in the house of corection here, about the end of June last; but owing to some defects in the machinery, which required

alteration, it could not be brought into effective operation until about 17th September; since that time, about thirty-two prisoners have been regularly employed upon it, and there is no reason to imagine, that any injurious effects either of a general or local nature have been or are likely to be produced by it. The state of the gaol in general is exceeding healthy, and the prisoners employed in this species of labour are, at least, equally healthy with the other description of prisoners. In confirmation of this opinion, we subjoin a report from Mr. Roberts, the medical attendant on the prisoners, upon whose skill and judgment we have every reason to rely.

We have the honour to be, &c.

*George Shiffner,*, } Visiting Magistrates of the  
*T. Partington,*, } house of correction at  
*James H. Slater,*, } Lewes.  
*Henry Shiffner,*,

I do hereby certify, that no case of general disease or local accident has resulted from the use of the Tread Mill in the house of correction since its erection, either in a medical or surgical point of view. I would also observe, that had any such accident or disease arisen, it must have passed under my observation and notice, since a medical visit is paid every day, without exception, and every, even the slightest accident is reported.

*Avery Roberts,*  
 Surgeon attending the prisoners.

Lewes, January 28th, 1823.

#### YORKSHIRE, WEST RIDING.

Sir,

Wakefield, 28th January 1823.

YOUR letter to the visiting magistrates of the house of correction in this town, was delivered to me, as one of them, and in answer, I have to state, that the Tread Mill there is but just finished, and the prisoners have not yet been regularly set to work upon it. I expect that in a few

days it will be in full force. At present, therefore, we are unable to give an account of the effects of the Mill upon the legs or bodies of the prisoners.

I am, &c.

H. Hobhouse, Esq. &c. &e. &c. (signed) *I. P. Heywood.*

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### YORKSHIRE, NORTH RIDING.

Sir,      Crosbey, near Northallerton, Jan. 30th, 1823.

I HAVE laid before the visiting justices, Mr. Hobhouse's letter of the 18th instant, and I am authorized by them to inform you, that the Tread Wheel in the house of correction at Northallerton, was first brought into use at Michaelmas 1820, and that so far from any effects injurious either to the health or limbs of the prisoners having resulted therefrom, we are of opinion that their general health is improved, and that no symptoms of any local affection have ever appeared.

I have the honour to be, &c.

The Right Honourable                            *Wm. Dent,*  
the Secretary of State, &c.                            Chairman of the committee.

To W. B. Dighton, Esq.

SINCE the operation of the Tread Wheel, at the house of correction at Northallerton, have you observed any injurious effects produced either upon the bodies in general, or the limbs in particular, of the prisoners employed thereon?

And what is your opinion as to the effect of this labour upon the general health of the prisoners?

(signed) *Wm. Dent, Chairman.*

To the Rev. Wm. Dent, Chairman of the Visiting Committee.

Sir,                                                    Northallerton, 26th February 1823.

IN answer to the annexed queries, I request to inform you, that the Tread Mill has been in operation at Northallerton for two years and upwards, and during that time I have not observed any injurious effects whatever produced

by it, and that upon the whole, my opinion is, most decidedly, that this kind of labour is beneficial to the health of the prisoners.

I have the honour to be, &c.

*W. B. Dighton, surgeon.*

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### EDINBURGH.

Sir,

Edinburgh, 25th January 1823.

In consequence of the letter which I have had the honour of receiving from Mr. Hobhouse, of date the 22d instant, stating that he has been directed by you to request that I will inform you how long the Tread Wheel in the Edinburgh bridewell has been in operation, and whether I have found any injurious effects produced by it on the bodies or legs of the prisoners who have worked thereat; I now beg to transmit to you a memorandum which appears to me to embrace all the information which you are desirous of obtaining on that subject.

I have, &c.

The Right Hon. Robert Peel,  
&c. &c. &c.

*William Arbuthnot.*

### Memorandum for Mr. Secretary Peel.

THE Tread Wheels, at bridewell, commenced working in the beginning of June last, and have continued to work ever since, with the exception of occasional interruptions arising from the operations of the workmen employed in extending their number.

When first erected, the number of wheels gave employment to near thirty prisoners, including relays; latterly they have been extended, so as to employ forty-three, and when the whole are completed, they will be capable of working about sixty prisoners, including relays, which are usually in the proportion of one in four.

None of the prisoners have ever complained of any injurious effects from the labour, either in their bodies, legs, or general health, although some of them have been employed

upon the Wheels for several months in succession. The prisoners are employed for nine hours daily, succeeding one another in regular rotation, by signal from a regulating bell attached to the machinery, whereby each gets an equal share of the labour.

The bell may be set so as to give any length of labour and interval of rest that may be desired. At present it is calculated to strike once every minute and a quarter, and at each stroke one man steps off at the right, and another gets on at the left of the Wheel; the rest making way by shifting from left to right. Thus on a Wheel having six prisoners at work, and two for relays, each works seven and a half minutes, and rests two and a half at a time.

25th January, 1823.

Sir,

IN answer to your note regarding the effect of the Tread Wheel on the health of the prisoners in bridewell, I have to state that once only a boy called to me to say that it had made him spit blood; but as I was aware how ready such people are to complain, in order to get free of labour, I purposely passed him over, well knowing that if he became seriously ill, I, or one of my assistants, should soon hear of it. We heard no more of his spitting of blood.

Within these few weeks, when I happened to call about other business, a man was brought to me who had got his leg bruised, as he said, in coming off the Wheel. The man did not complain of the accident as any thing necessarily connected with the nature of the labour, and I was led at the time to conclude that it was produced by his own carelessness.

These, to the best of my recollection, are the only two occurrences that have taken place since the machine was erected.

I remain, &c.

Mr. Murray.

*James Law, surgeon to the bridewell.*

Middleby-street, Newington, 19th February, 1823.

My Lord,

In obedience to your Lordship's directions, I have communicated with Mr. Law, surgeon to bridewell, regarding the effects produced upon the prisoners by working upon the Tread Wheels, and I have now the honour to enclose his reply, in which two slight cases are noticed, as the *only* two occurrences that have taken place since the Machine was erected.

With respect to the first of these, that of a boy who alleged the labour had made him spit blood, as nothing was ever heard of it, either before or since the time when he called Mr. Law, I conclude the allegation was merely a pretence to get free of work ; and in regard to the *second*, that of the man who had got his ankle bruised, I can state most decidedly that the accident had no connection with the labour ; but was wholly owing to his own temerity, in passing over the Wheel at a time when the ordinary covering had been removed for the purpose of some repair ; and no such accident can, by any possibility, happen to the prisoners while in the act of working upon the Wheel.

I have, &c.

*D. Murray.*

The Right Hon. the Lord Provost of Edinburgh, &c. &c.

# Prison Labour, &c.

## IV.

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### DESCRIPTION OF THE ANNEXED SKETCH OF AN IMPROVED HAND-CRANK-MILL.

THE sketch annexed to the *Statement*, originally circulated among the magistracy, &c. was a representation of two of the four Cranks of the mill erected in the New House of Correction at *Devizes*, with such improvements as then occurred:—additional improvements have since been made, at the suggestion and under the correction of Mr. *Millington*, Professor of Mechanics to the Royal Institution of Great Britain, and Surveyor of the County of *Bedford*, — who also erected the *Tread-Mill* at the County Gaol. -

In the machinery of the Crank-Mill, the principal objects have been to apportion the degree of labour to the degree of punishment, and at the same time to throw every principal muscle of the body into healthful action.

Fig. 1.—Shows the perspective appearance of a portion of such machinery, consisting of two Cranks, in which two sets of men appear working at once. It is needless to observe that any number of Cranks may be placed, radially or otherwise, round the central shaft *a a*, so as to communicate the joint efforts of all the men to it at the same time, and that they may be so partitioned as to preserve the classification of the persons at work. The position of the men may be varied at pleasure: thus, on one side of the sketch the men are shewn with their right hands only in action, and the right feet

SECTION OF AN IMPROVED HAND-CRANK MILL FOR PRISON LABOUR

Fig. 1

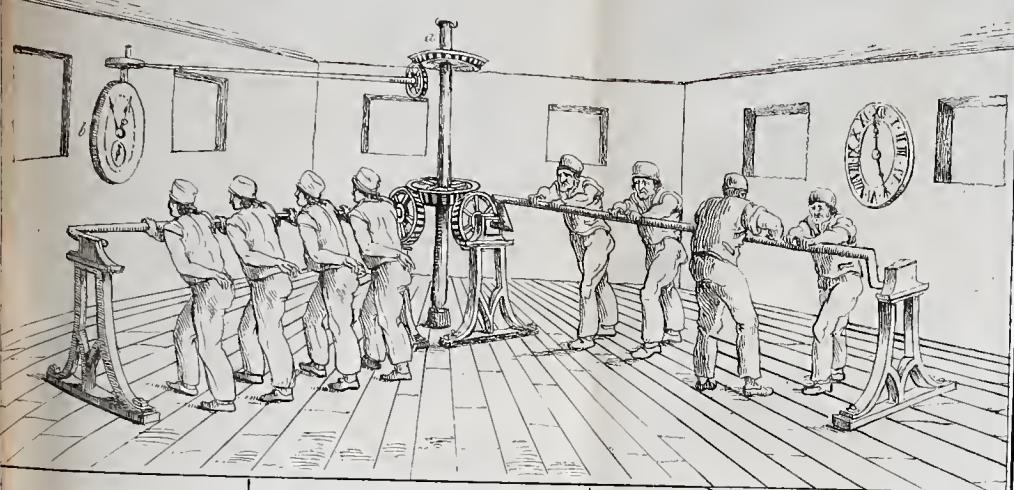


Fig. 2



Fig. 3.



Fig. 4

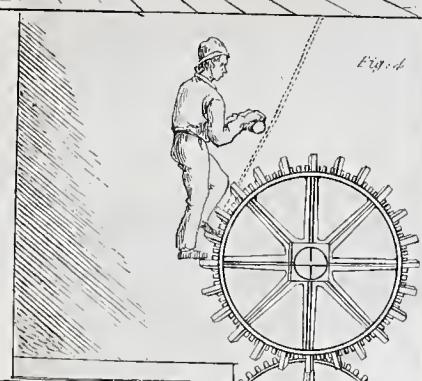


Fig. 5.

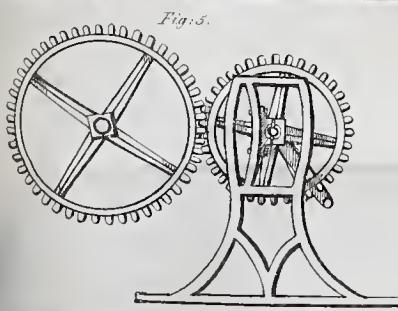


Fig. 6

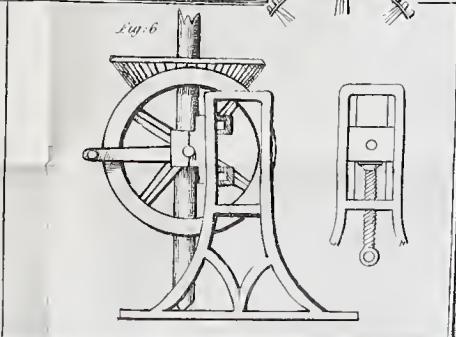


Fig. 1a Sketch of the Tread Wheel in Action from Orrig's Description of Bury Gaol



advanced ; while on the other the *left feet* are advanced, and *both hands* in action. One man is likewise shewn with his face towards the others ;\* and the whole may thus be disposed, *alternately*, by which the labour also may be occasionally increased or diminished. The operation of the hand-cranks is so simple, and must be so obvious on inspection of the figure, as to render a minute description unnecessary.—The *Crank*s should be covered with loose *ferrils* of *plate iron* as a protection of the hands — each ferril of a due length for the labour of a single man. Each Crank carries a *bevil cog wheel* at its extreme end, and all these wheels take in common into the *cogs of an horizontal bevil wheel*, bearing upon the perpendicular shaft *a a*, which passes through the ceiling, and gives motion to *Millwork for grinding corn*; or any other purpose which may be desirable, and to which the workmen have no access. Any one or more of the cranks may, however, be *thrown out of gear*, at pleasure, by which the work will be rendered more severe upon those that remain. In addition to this means of varying the extent of labour, the crank on the right-hand side of the sketch is made *adjustable*, by means of *screw nuts*, so that its *throw*, or the *circle* which it causes the hands to describe, may be varied in *diameter without any sensible variation in the speed of the machinery*, or the cranks may be changed for others of more or less *radius*, at will. The room, which it would be desirable should be open to the air in which the men work, should contain a dial-clock, for the regulation not only of such mill-speed, but to determine the length of time during which each set of men is to work. — *b* is a *Counter*, or *Tell-tale*, which by

\* The sketch of this single figure is not the most creditable to the execution of the artist, either in *outline* or *position*.

means of a dial-plate, shows the number of turns that have been given to the machinery in the absence of the inspector during any period of time.

Fig. 2 and 3,—are profiles or end views of the cranks, shewing the men in two opposite positions of the revolution.

Fig. 4,—is a copy of the representation of the *Tread-Wheel* taken from the plate annexed to Mr. Cubitt's report of the machinery at *Bury Gaol*, published by Mr. Orridge, the Governor of the prison; except only that—the figure in the plate annexed to the report, does not show the *board* which he has generally placed between the prisoners and the stepping wheel, which is here shewn by dotted lines.

Fig. 5 and 6, — are enlarged views of the cast-iron support for bearing the ends of the cranks, in which they are made *adjustable* (by the several modes sketched) to the height of the person employed to work them, and by which the same machinery is applicable to boys or the tallest men. To effect this, the *plumber blocks* of the cranks slide on a *curved surface* which is *concentric with a main wheel* hung on an *horizontal shaft*, as in fig. 5, or may be simply wedged against a straight support, as in fig. 6, which is applicable to the *upright shaft* shewn in fig. 1, in which case the *horizontal bevil wheel* must be adjustable to *different heights* in the ordinary way.

But to render this improvement of the machinery *effective*, concurrent regulations should be drawn up by the Visiting Magistrates, assisted by the Prison-Surgeon, comprehending the details of labour for the guidance of the superintendant of the labour.

The governors of the House of Industry, or Poor-house at *Birmingham*, have erected a set of *Hand-Crank*

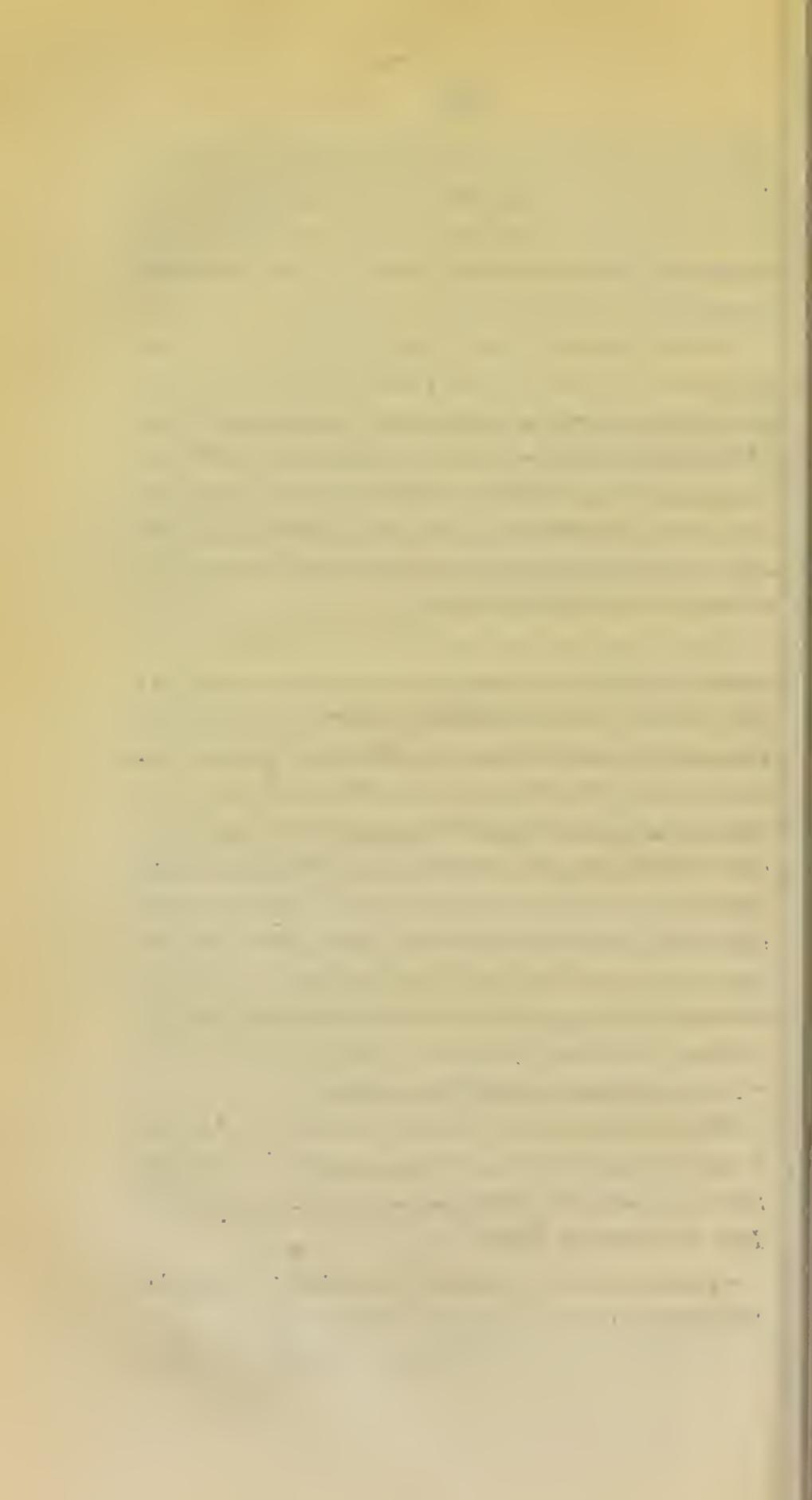
*Mills*, at each of which *three persons generally work*,—they will be much benefitted by the adoption of the present suggestions. At the *Birmingham Mills* one man can earn 9*s.* per week at the average prices charged by the millers.

It will be recollect that in the New Gaol at *Hereford*, though the adoption of the **TREAD-WHEEL** was much pressed, it was declined in favour of the **HAND-CRANK-MACHINERY**, which is now in action, and the Visiting Magistrates will probably be disposed to avail themselves of the very *simple and economical* improvements now submitted to their consideration, and which may be still capable of further improvement.

From what has been stated in the preceding pages, founded on the most attentive investigation, as well as in the *official returns* printed by order of the House of Commons, it should seem desirable that *females* be exempted from the labour of the *Hand-Crank Mill*, as well as that of the *Tread-Mill*, altogether, it being evident that it may be extended to a dangerous *excess* without great *vigilance* on the part of the superintendents — and, as the Committee of Prison Discipline have properly observed in their last publication\* — “*there are found in every prison, many descriptions of labour for women, which are much better adapted to female habits than employment at the TREAD-MILL!*”

Further information may be obtained at *Lee's and Cotton's AGRICULTURAL REPOSITORY*, in *Winslade Street*, opposite the *Pantheon*, and at Messrs. *Stotharts, Iron-Founders, in Bath*.

\* Description of the *Tread-Mill*, by the Prison Discipline Committee, page 27.



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## APPENDIX.

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## ADVERTISEMENT.

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As the avowed object of the most zealous advocates of the **TREAD-WHEEL DISCIPLINE** is well known to be the suppression of every description of **MANUAL Prison Labour**, however sanctioned by evidence of practical utility, it is thought advisable to close the preceding Statement with Extracts of the Examinations, in the *Select Committees of Parliament*, of two acting Magistrates in the County of *Somerset*, both of whom have presided in the Chair of the General Sessions of the Peace, and been long occupied with those practical and laborious details, as “Visiting Justices,” which fall, principally, within the scope of the preceding inquiry.

These official Minutes of Evidence are followed by Extracts of a Statement which formed part of the original communication to Mr. Secretary Peel, on the 12th October, 1822, but which was withheld, chiefly on account of its locality, in the subsequent transmissions to the Clerks of the Peace of the several counties of England, previous to the last *Epiphany Sessions*.

The substance of some of the *Notes* annexed to the latter statement, it must be observed, has been introduced in the preceding pages, but, they have so much argumentative or explanatory bearing upon the other matter connected with the principal object, that it is considered most proper they should still stand in their place, especially as they chiefly apply to the results of

*Manual Prison Labour*, by which alone the extensive additions, constituting *three-fourths* of the most considerable House of Correction of one of the most populous counties of the kingdom, and in the vicinity of a great manufacturing and colliery population, has been carried into adequate effect.

With reference to the relative appropriation of the *Wards*, a similar objection may possibly be taken, as was, in fact, taken by His Majesty's Commissioners respecting the "*Dormitories*" in the County Gaol, and which is adverted to in the following extracts. It would have been comparatively easy, at the same, and *even at a less amount of expense and labour*, (for it did not, from the first, escape consideration) to have avoided this assignable ground of objection, but, not consistently with the most pressing exigency of the county, or the contemplation of mischiefs which have since been too extensively realized. Even *at the present hour*, a recurrence of similar mischiefs is but too probable, and corresponding notifications have been officially communicated to the proper authorities,—a very large proportion of the manufacturing population, in the vicinity, having (as it is termed) actually struck *their work*. It cannot be sufficiently regretted that so few prisons in the kingdom, and *least of all, those of modern construction*, are adequately provided to meet such probable exigencies.

In reverting to these circumstances of local detail, it is scarcely possible to suppress the tribute of grateful feeling, which arises from a sense of the zeal and harmony manifested by the **ORIGINAL COMMITTEE**, specially appointed by the Court of General Sessions, at the instance of the individual whose engagements with the County

have been already stated. Of that Committee, consisting of five Magistrates, two have already prematurely paid the debt of nature, while two others, from the pressure of long protracted illness, have been obliged to discontinue their personal attention to the object. Their secession, however, was preceded by so rapid a progress in the works as to leave little doubt in their minds of their speedy accomplishment in the letter and spirit of the original engagement: — the completion of which, if the writer of these pages errs not, will long be contemplated with approving recollection, and prove a valuable bequest to succeeding Magistrates and to the Country.

" His saltem accumulem donis, et fungar inani  
" Munere." Æneid. VI. 888.

## APPENDIX.

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### I.

*Extracts from the Evidence of Sir John Palmer Ac-  
land, Bart. taken in the Select Committee of the  
House of Lords, 27th May, 1819.*

“ To what do you principally attribute the beneficial effects to be produced by the punishment of imprisonment?—Hard and constant labour; and I believe there are no people work harder than the prisoners with us; the orderly habits produced by it are not to be estimated: we have no noise, no abuse, no cursing or swearing, or any thing of the kind in the gaol. The prisoners, in general, despise a man who will not work.”

“ What effect have you known to be produced by solitary confinement?—It is a very good punishment when people are contumacious or ill-behaved; but, I think, if solitary confinement be carried too far, it hardens the heart; it makes them brood over their misfortunes: these common people have nothing but sensual pleasures to gratify themselves with, and no good can be done but by leading them to better habits, and bringing them under the influence of moral and religious instruction.”

“ Do you find it a very effectual instrument of subduing contumacy?—The very best; there is no severity exercised in it, and it subdues a refractory spirit.”

“ Is it regarded with terrors by the prisoners?—Very much so: but if it be carried to excess, I think it injures the mind.”

“ Do you find it effectual in two or three days?—Yes, in general; very few people will hold out longer than two or three days.”

\* \* \* \* \*

“ For the last eight years we never have employed a foreigner in our gaol, but only as a glazier or as a blacksmith,\* because we have no means of erecting a forge in our

\* In the House of Correction at Shepton Mallet, all the work of the glazier and blacksmith, and every other description of artificer's labour, has

gaol; but *all our expenses*, and every thing we have to do in *carpenters' and masons' work*, we do by means of our own prisoners."

\* \* \* \*

"A woman who cannot make use of *her needle* before she comes in, if she stays there *six months*, goes out perfectly able to make use of a *sewing needle*; and perhaps her *knitting needle*, and commonly capable of washing, and mending, and mangling; so that she is perfectly instructed in the means of obtaining an honest livelihood. I have known instances of *boys*, and *many men going out improved as carpenters and masons, and have been made carpenters and masons*, and who have never returned again."\*

## II.

*Extracts from the Evidence of Sir John Palmer Ac-  
land, Bart. taken on the Select Committee of the  
House of Commons, 7th June, 1819.*

"How long have you acted as Chairman of the Quarter Sessions of the County of Somerset?—I am now in my fifteenth year.

"Have you, during that time, given any particular attention to the County Gaol at Ilchester?—Yes; I have given up my whole time to it."

"Has any addition been made to the building of the Gaol?—Considerable additions have been made, but we were obliged to make the best of the old buildings of

been exclusively and adequately carried into effect by the hands of the prisoners alone.

\* The evidence of Sir John Acland, who has been an acting magistrate of the County of Somerset above thirty years, and during the greater part of that period presided in the Chair of the General Sessions of the Peace, extends to great detail of information on the general subject of *Prison discipline* in his examinations by the Committees of both Houses of Parliament. Few magistrates have devoted so great a portion of their time and labour to their official duties; and his evidence, on this occasion, becomes of additional interest, from the great deference shewn to his opinions, by the *Committee of Prison Discipline*, in their *Third Report*, page 19. Sir J. Acland was also a visiting magistrate of the *County Gaol*, and Chairman of the *Prison Committee*, in the superintendence of the buildings and improvements in the House of Correction at *Shepton Mallet*.

the Gaol, so as to form them into separate wards, with separate kitchens and court yards for the respective uses of the prisoners."

" Can you state what expense the County has incurred in those buildings and alterations?—I have such an account; which from 1805 to 1818 inclusive, amounts to £26,527.. 2..4. *as appears by the following particulars; [as stated.]*

" The population of our Gaols was in 1805 about 170 on an average, it is now upwards of 400; out of this sum is to be deducted £1,500. for record offices, leaving £25,000. for alterations and improvements of our prisons for the reception of an increased population of 230 prisoners on the average, exclusive of additional officers and their families."

" Was any part of the work carried on by the *prisoners themselves?*—*A great deal;* common sewers being necessary for convenience, cleanliness and health, we were obliged to make different branches of them through every ward of the prison, and to carry them to a depth of from six to ten feet, which created a great deal of hard labour in excavating and removing the earth, and constructing the sewers themselves; all which operations were performed solely by prison labour; and all the foundations for new buildings were made and carried up to the surface of the ground by the same means of prison labour."

Were the prisoners employed in any of the works above ground, as masons or carpenters?—Yes; when at first we let work by contract, the contractors agreed to hire of us all labourers and persons who they found convenient, paying the County per day according to their abilities, then we received that money and paid the prisoners their proportions."

" That proportion was the same as they received from the other work that they did in the prison?—Yes."

Did you find any inconvenience in the discipline of the prison from having so employed the prisoners?—*We experienced the greatest possible convenience from doing it;* we should have found the most manifest inconvenience from not doing it, because, when we were pulling the prison to pieces, if we had not employed the prisoners, we must have had a class of strangers in the Gaol who might have over-powered our people in their looking after the prisoners, or otherwise have assisted them in the means of escaping."

" You consider they were easier guarded when they were

employed, than if they had been left without employment?—Much easier."

" Had you any escapes?—I believe, during the time that we were carrying on the works, when we had a great quantity of stones cracked and piled against one of the walls, three or four men did escape out of the walls, but we got them again."

" Have you observed any difference in the conduct of the prisoners since the alterations have taken place that you have described?—The most manifest."

" State them?—Before, they were idle, dissolute, and refractory, not knowing what to do with themselves; in point of fact, all idle men are not only meditating plans and schemes of escape, but constantly forming combinations to prevent all discipline in the Gaol; whereas by means of employment, they are taken out of that restless system, and made, comparatively, happy and comfortable."

" Have you any opportunity of knowing any particular good effects in individual instances?—Numerous; every man as soon as he finds it to be his interest *to be set to work*, (and it is a favour to be employed before trial,) generally offers his services in his own particular line of labour, and by way of encouragement to him, he is employed as much as possible in that line; if a man behaves well in his labour, he expects that the visiting magistrates will endeavour to obtain for him a remission of a part of his sentence towards the end of his time; if he should not be entitled to this reward, he knows he is to receive a certain proportion of his earnings towards his better maintenance in prison, and that the remainder is to form an accumulating fund, which, when he leaves the prison, will be paid him so as to enable him to provide for his necessities before he can get work, when he gets home; and I have always found that this system operates as a very main inducement to every one when he came into the Gaol to behave well, and more especially when it is connected with the hope of even a short remission of his imprisonment; for that operates as a testimonial to his friends, when he returns home, of his good conduct in prison, and as a strong recommendation to future masters for employment. There are many instances in which I have applied to the Secretary of State for a remission of part of the sentence, in consequence of good behaviour; a man was discharged the other day, I think his sentence was for one or two years; he was a manufacturer of cloth; when he came into prison, he immediately offered

his services to teach his particular branch of the business to any one in the Gaol, and undertook the employment, hoping that he should thereby recommend himself to the favour of the visiting magistrates ; in the end he obtained that favour, and I applied to the Secretary of State, and got a remission of his sentence. *I had also a man of the name of —— who, for his good conduct, obtained a remission of his sentence, and he is now working in what was my former neighbourhood, with an exceeding good character, and trusted by every one.*"

" Are there any other instances ?—Many instances, both male and female ; this is the great inducement we have to hold out to prisoners. I have one man now, who has been sentenced to receive corporal punishment during the period of six months imprisonment ; as soon as he came into the Gaol, he applied to the Governor, and said, that if he behaved well, and taught his trade in the Gaol, he hoped he might be benefited by a remission of the sentence of corporal punishment ; and I have held out that encouragement to him, and he is behaving exceedingly well, and is teaching his business to prisoners. Those examples have very powerful effects upon the prisoners in general."

" When we had the typhus fever, two years ago, prisoners volunteered their services, at the hazard of their lives, to nurse the infected prisoners ; and perform all the dangerous offices required of them, in hopes that they might meet with favour ; they behaved extremely well ; we were obliged to hire a house two miles distant from the prison, and our chief reliance for the security of our prisoners was from those men, because we had not servants enough for the different services required ; those men knew it was not worth their while to try to escape ; their better dependance for their liberation from prison was on the expectation that their good conduct and services would obtain them a pardon, which would enable them to go to their homes with redeemed characters."

" Do you think in general the prisoners who leave the Gaol with a good character, do return into the neighbourhood where they lived before ?—I never apply for the least remission of a sentence, unless I can receive an assurance that the prisoner will be employed by some master when he goes home. I have a man who occasionally works for me as a cabinet-maker ; he was committed with his brother, before alluded to ; when this man went into prison, he was a common carpenter ; he improved himself, during

his imprisonment, in joiner's work, and is now a cabinet-maker ; this advancement he owes to knowledge acquired in prison ; I employ him in my house, give him the liberty of going into all my rooms as unguarded as if he had never been in prison, and I do not know whether I had not sooner trust him than another person, because he knows what the loss of character is ; no man behaved better in prison, or has conducted himself better since."

" What period of imprisonment in general, with employment, have you found sufficient to produce a reform in the prisoners ?—From six to twelve months, or two years ; it requires sometimes a considerable period to bring a boy from previous bad habits, so as to be able almost to transform his nature, without which there is little reliance to be placed on his reformation. I think six months will do for some people, twelve months with others, according to their characters and dispositions."

" Would you think it beneficial for the prisoner, that if his sentence admitted of it, he should stay long enough to make him himself completely master of the trade which he is learning ?—Undoubtedly ; the object being to make him master of the business from spinning the wool to weaving the cloth, and the twelve months which I have before mentioned, includes the whole operation."

" Have you found it necessary to make use of any punishment in the prison, with a view of maintaining the discipline there ?—Solitary confinement, if they behave ill."

" For what length of time has that ever been extended ?—Generally a few days is sufficient ; but with hardened and obdurate minds it will require weeks, more or less. The Governor has the power to put a prisoner into solitary confinement, but he is obliged to give notice to a visiting magistrate of his having so done, and then when the visiting magistrate comes in a day or two, he examines what that person has done, and if he appears contrite, and promises amendment, he is generally put to his work again ; if he has been found to have behaved very ill, his proportion of his earnings is forfeited to the County, as an addition to his punishment."

" Were you present at the examination of Mr. Bridle ?—Yes, I was."

" Have you any general observations to add to what he stated with respect to the Gaol of Ilchester ?—With respect

to hard labour, the prisoners are kept to polling stones, cracking stones, wheeling all the stones into the Gaol, and all the waste stones, rubbish, and excavated earth out of the Gaol ; and they are kept as hard at work as it is possible for men to be kept ; and I am sure they do more work for us than they very often do at home for their masters, as they are better overlooked."

" Will that sort of work be constant, or is it only carried on while the improvements are going on in the Gaol ?— When first we introduced the system of work, we were at great difficulty to find out the nature of labour suited to different capacities ; but now that we have taken all the works of the Gaol into our own hands, we are at no loss for labour ; we have pitched many of our courts, so that whatever rain or snow falls, it produces no stagnant water ; and to obviate all the objections that have arisen from ground-floors and damp cells, the greater part of the prison has been excavated two or more feet deep, and been filled in with cracked stones up to the level of the prison, the cells of which are then paved with free-stone. In addition to this source of labour, we shall be obliged to take down one of our old buildings in the debtors' ward ; and as we go on with necessary repairs, and such works as the increase of the population of the Gaol demand, and carry them on by prison labour alone, I am decidedly of opinion, that with the aid of our manufactories, we shall not be without fruitful and profitable sources of hard and constant labour for all our prisoners for many years. If the population of the Gaol should happily decrease, the necessary works must be suspended."

\* \* \* \* \*

" I think I have stated generally, that PRISON LABOUR is the ground-work of all improvement, of general tranquility, and of hope of reformation in a prisoner's habits of life and disposition of mind : give a prisoner action by *labour* and employment, and it will give him a determined direction towards a better system of life ; industrious habits must be created, be the expense what it may ; the moral effects produced will compensate for all numerical loss that may be sustained ; nothing can save a prisoner from the bitter reflection of a misspent life but employment ; idleness and rest will not do it, those will throw him back upon the thoughts of his former life, extinguish all hope, harden his heart, and drive him to despair "\*

\* This paragraph is quoted by the Committee of Prison Discipline in their Third Report, page 19.

" If you made no allowance to the prisoners out of their earnings, would it not be necessary for you to increase the County allowance?—No doubt."

" Then you consider those earnings that are given to the prisoners a saving to the County?—Yes, and a prodigious encouragement to the prisoners; because, if no allowance extra were to be made to them, they would have no encouragement to work; for they would and have said among themselves, it is no use for us to work, for they must give us the Gaol allowance without it; therefore, by the addition of sixpence, they are induced to work with that assiduity which enables them to support themselves in their work."

" Do you confine that observation to the untried prisoners?—To any person employed."

" Those condemned to hard labour cannot refuse it?—No; but we consider, if a prisoner is to be kept to hard labour, he must have that sustenance which will sustain him."

" Supposing the prisoners had provided for them a sufficient quantity of food to enable them to execute that hard labour, do you think it would be necessary to make them any allowance previous to their discharge?—If they were allowed additional food, they would not require a portion of their earnings; but that additional food would not create that sort of stimulus to them which I have described; it would not satisfy them; whatever is produced by their own labour is sweeter than that given in the shape of broth or other things; and it has this advantage, that by their labour a fund is established for them on leaving prison."

" You think it preferable, that they should at any rate receive part of their earnings at the time, rather than receive it at their discharge?—I consider it quite essential; it is an opinion I have formed from the gradual improvements that have taken place in our prisoners' conduct; this system which we have adopted has grown out of the advantages which we have known to result from the practice. When first I came to the prison, we had a hundred prisoners on the average, and now we have scarcely ever less than from two hundred to two hundred and sixty; all the knowledge I have acquired has grown out of the necessity of the case, in being obliged to provide for so many people (the upper debtors excepted) in some way or other."

" Is there any difference made in this allowance for extraordinary exertion?—Sometimes; when we have been excavating earth, or we have been obliged to have sixty or seventy prisoners at work, in making drains, and they have

been working up to their knees in water, or at other hard work, we have given them an allowance of beer, as an encouragement; sometimes, when the Gaol Sessions has been coming on, and it has been said to them, "Come, my lads, the magistrates are coming, let us finish this work," they have all cheerfully exerted themselves to get the work in hand done: we had an instance lately of some weavers throwing some work out of the loom in an extraordinary manner, and saying, such pieces were never got off before in so short a time. The instances of pride among prisoners in executing work in a masterly and expeditious manner are very frequent with us."

"Have you had occasion to examine the Gaols in any other counties?—I have seen Gloucester Gaol, Newgate, the Penitentiary, Dorchester, Devizes, Exeter and Oxford Gaols, and others."

"Is there any one of them that you would wish to recommend as a model for others?—No; though I think there is a great deal to be learned from many, yet none are satisfactory as models: Gloucester Gaol was the pattern I originally had in my mind for example, and I took as many hints from that Gaol as I could reduce into practice at Ilchester, as to its regulations and discipline; perfection as to arrangement is not easily attained, and after all, *good government will make a bad constructed Gaol tolerable, but bad government will never make a well constructed Gaol available to the salutary purposes expected from it.* I think there is a great deal of excellence in the construction of many Gaols, and much useful information to be acquired from consulting them, and no doubt a great deal of improvement might take place in almost every Gaol; there is no institution perfect: if I were to build a Gaol according to my own ideas, I should endeavour to build it with a sufficient number of wards, so as not to contain more than from ten to twelve people, because by the subdivision of men in classes, you could have regard both to criminal habits and moral principle."

"Do you think that their moral and religious improvement keeps pace with their sober and orderly deportment, in consequence of this employment?—Yes; I am satisfied there is a complete reformation worked upon them in many instances."

"When you talk of that Gaol, do you mean a Gaol to be applied to the purposes of a Sheriff's Prison or a House of Correction?—I would apply it to all; if debtors were classed in the same way, that would produce the greatest

possible benefit, and I think all prisoners would be better and happier in general by being subdivided."

" Do you think that it is advisable in a new formed Gaol, that the Gaoler's house should be placed in *the centre*?—\* It is a difficult question to answer; we must study localities, and prisons must be constructed in reference to them: in some cases it may be practicable, in others not, that the Gaoler's house should command a view of every ward, especially if they were so numerous as to contain only ten or twelve prisoners; but I think by means of Turnkeys, who should have a power of inspecting those which a Gaoler cannot, a Prison may be superintended as successfully as if under the sole direction of a Gaoler. In Ilchester Gaol there is no ward but what can be superintended by some officer."

" How long has the Bridewell at SHEPTON MALLET been built?—The new building is now in operation."

" How has that building been carried on?—By THE PRISON LABOUR SOLELY; there has not been a hired man introduced into it, except it might be for plumbing or glazing; † the whole is done by Prison Labour."

" Can you state what saving that may have been to the county?—If the present plan is perfected, I should think it would be a saving of full two-thirds to the county."

" Are those all committed for hard labour?—All that are committed for punishment are committed to hard labour, except in some few instances, and except those that are committed for trial."

" Were all the prisoners equally employed about this building?—All the prisoners that can be employed with advantage are employed about the building."

" Is the only exception then the want of bodily strength or capability of exertion?—Generally it is so; all are employed that are capable of employment, and can be trusted; some are made labourers of, and some are made masons; sometimes we are so distressed for masons, that we are

\* It seems to be almost a general practice in the Gaols newly erected, to place the Gaoler's Lodge in the centre of the building, for the purpose of commanding a more advantageous view of the prisoners—but, this is not without objection—as cases may occur in which the Gaoler himself may become the prisoner, and his retreat more readily cut off. In the House of Correction at Shepton Mallet—if completed on the plan designed—the supervision of the Gaoler and Turnkey is adequate to any useful purpose, while they themselves are not exposed to the possible danger which may arise from the central residence of the Gaoler.

† No plumbing or glazing has been executed otherwise than by the prisoners.

obliged to bring men and boys to that work who show the least disposition and abilities for it."

" But there is no exception made, whether they are for trial or not?—No, if we can trust them."

" Are they employed on the building!—Yes: those that can be employed advantageously about the building are so employed."

" Are they employed voluntarily, or is any compulsion used?—There is no compulsion; it is a great favour to employ them; they are all happy to work."

" Has this system been long enough in operation to form any judgment of the effects of it?—Yes; it produces the best effects; for without those prisoners were employed it would be impossible to keep them in the Gaol, considering the insecure state in which it is at present."

" Has it been long enough in use to have any effect upon the moral improvement of the prisoners?—I have no doubt about it."

" Is there any classification at present in the *Shepton Mallet* House of Correction?—No;\* it is impossible to be obtained in that House of Correction at present, while it is in a state of re-building, because the wards are not completed; but as soon as they are completed, there will be twelve or more subdivisions, and the prisoners will then be classed in them."

" How long will it be before those wards are completed?—One side of the Gaol will be completed in the course of two or three months, which will give five or six divisions."

" And the other how soon?—The other in the course of the next year, I should think."

" Is it the intention to have separate sleeping-cells?—No; every one of these wards will have a kitchen and a sleeping-room over it, in which there will be from six to eight beds; one person to each bed, with a power, in case of misbehaviour, of removing any prisoner, or any two or three prisoners, to separate wards, intended to be constructed for that purpose."

" Would you not think it desirable, if your convenience would allow it, that each prisoner should sleep in a separate

\* In this respect only Sir J. A., who, from ill health, had not attended the Committee at Shepton for some time preceding, was mistaken; as the classification commenced earlier, and in a few weeks afterwards was complete, in conformity with the spirit and letter of the statute, as appears by the following examination of Sir J. C. H.

*cell?—No, I do not think that is necessary; on the contrary, it very often produces the best security, to have two or three or more prisoners in a room, because one in that case, is a watch upon others, especially if they are classed, as I have before stated that prisoners ought to be."*

"Do you not think it gives a facility for licentious and dissolute conversation?—Prisoners in general have the opportunities of it in the day-time; and if they behave tolerably well we must run the risk of their doing the same in the night. Should, however, any improper conduct be observed in any one, he would be elasssed with a lesser number, or made to sleep by himself."

"It appears by the returns of the 16th and 29th of May, that there were 106 persons in Shepton Mallet Gaol, 24 males and one female for trial, 63 males and 13 females for imprisonment, two deserters and three children; total 106: how are they all confined?—In a manner that one is very sorry for; necessity has obliged us to mix all male prisoners together; they are confined in such a state that it is quite painful to reflect on the misery created by it, and that was the cause why we were obliged to build so extensive a Gaol in that district, and happy will it be that we shall in future be enabled to obviate the inconveniences of crowding prisoners together without reference to crime, conduct, and character. The average number of prisoners some years past was about forty, at present it is above 100.\*

"Would you have labour in your Gaol if it produced no profit?—Yes.

"Would you have labour in your Gaol if it produced loss? Yes; if it produced loss, I should consider it a great gain in moral habits produced, because no person can govern a Gaol without labour.

### III.

*Extracts from the Evidence of Sir J. C. Hippisley, Bart. taken on the Select Committee of the House of Commons, 23d June, 1819.*

"You are a Magistrate for the County of Somerset?—I am."

"Have you had the superintendence of the building of the House of Correction at Shepton Mallet?—I have.

\* It has since occasionally exceeded 200.

"Werc the whole of the new buildings added to that Prison constructed by the labour of the prisoners?—Wholly so."

"What effect had that in point of economy?—The contract made by the county was for £1,500,\* to be executed in three years, the stone being raised within the walls of the prison, excepting free-stone, which came from the distance of about two miles; the whole of the Prison is covered with cast lead, and built with hewn stone upon arches; no timber was used but for the doors; I should suppose the saving to the county was at least three-fourths."

"When were the works commenced?—A little more than two years since."

"Are they yet completed?—They will be completed, provided we have the same average of hands employed, in the month of February next, making three years from its commencement."

"Has enough of the Prison been completed to furnish any means of judging of the good effect of the arrangement and discipline of the Prison?—Enough has been completed to produce five distinct courts, each consisting of two wards, in which the prisoners have for more than eight months been classed according to the parliamentary classification.†"

"Have you observed any, and what effects, from that system of arrangement?—The effect is the great and general good conduct in the gaols; great cheerfulness on the part of those employed; and those that have been discharged, that were wholly ignorant, for instance, of the art of the mason, when they came in, I know in many instances are in the habit of earning eighteen shillings a week now, as masons; they are kept in continual employment, and classed agreeably to the classification described by the statute, excepting in particular instances of misconduct, when they are removed from those classes, and kept separately."

"What is the general employment of the prisoners?—In working the stone and building; there is no wood employed but in the doors of the prison."

\* This was afterwards extended to 1600*l.* on account of an alteration in the roof. It will not escape the attention of the reader to compare these sums with the expenses incurred in the construction of the generality of our modern prisons.

† This difference of statement from the preceding evidence of Sir J. Ackland, was noticed by Sir J. C. H. to Mr. Bathurst, the Chairman, as Sir J. Acland, from a long illness, had not attended, for some months, the Committee at Shepton, and at the preceding Epiphany Sessions of the County Sir J. C. H. was called to the Chair.

"The present general employment is on going on with the works of the prison?—Yes. I should state, in addition to the mason, that all the plumbing,—all the iron-work,—and all the carpenters' work, have been executed, exclusively by the prisoners; no description of artificer has been admitted to do any thing, from the taking the stone from the quarry to the completion of it, and the whole is done in a very workman-like manner."

"Does that employment of the prisoners admit of any specific classification?—The employment of the prisoners is directed so as to employ them in classes as much as possible; there may be some variation, but they are all under the continual superintendence of the Turnkeys, and those appointed to overlook them."

"Are any irons used?—Irons are used, as the outer wall is a very insecure one, we conceive it, for the present, to be necessary, but hereafter certainly not."

"Do the men work in irons?—Those who are originally ironed work in irons, but they are very light."\*

"Are the irons then applied only to a particular character of prisoners?—Those who are sentenced to hard labour are not in irons; but the Prison being used as a Gaol, and from the insufficiency of the County Gaol, we have half the proportion of the prisoners (felons) committed for trial, some of whom, the best, are employed upon the works at their own option."

"Have many of the prisoners been discharged since those works have been going on?—Great numbers."

"Have you been able to trace a large proportion of those on their return to their families or occupations?—Great pains have been taken to ascertain their conduct afterwards, and in general we find it to be very correct, the men continuing to be employed in those lines of occupation they have acquired a knowledge of in the prison."

"Have they found any difficulty in obtaining masters after coming out of this Prison?—None at all; there is great employment for masons in the county of Somerset, which is their principal occupation in the Prison."

"And several of them have learnt trades while in prison, which they were not previously acquainted with?—Yes; and I beg to state one very particular fact: Mr. Underwood, the architect, in crossing Piccadilly, was knocked down by the pole of a carriage; he was taken up by a person in

\* Since this period irons have, in a great measure, been discontinued in the prison at Shepton, except on occasions manifestly insubordinate. The works are not yet complete—and a cause is assigned in the annexed Notes.

the street, and taken to Hatchett's hotel, near the spot; the man recognised him to be the architect under whom he had worked at Shepton Mallett, and "thanked him," to use his own words, "for teaching him to acquire an honest maintenance."

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#### IV.

(*County of Somerset.*) Extract of a Note of Sir J. C. Hippisley, Bart. addressed to the Shepton Prison Committee, dated Ston-Easton, Feb. 25, 1822.

An official copy of the *original Statement* and *Proposals* for the extension and improvement of the House of Correction, and the *Specification*, drawn up, by the County Surveyor to regulate the contracts, with such *original orders* of the Court of Sessions as are of most material reference, will be laid before the Committee. But as Mr. Moody and the undersigned are the only Members of the *original Committee* who were named on that appointed at the *last Epiphany Sessions*, it may be advisable to advert, *summarily*, to the state of the Prison at the commencement of the new works, and not less to the actual state of the County at the same period.

At the opening of the Epiphany Sessions in 1817, *ninety-one* persons were confined within an extremely ill-ventilated space, stated, in the first Report, "as not affording due accommodation for more than *forty or fifty* prisoners;" but which was scarcely adequate to receive *thirty*. No classification, consequently, could take place, and rarely any separation, extending beyond that of the sexes. At the same time the County Gaol, and also the *Western House of Correction*, were oppressively overcharged. In the Gaol, the *typhus* fever soon after broke out, which affected *seventy* of the prisoners, some of whom died;—others were removed to a House of Recovery, under the sanction of the Judges. Upon the *re-appearance of the fever*, an official recommendation was received from the *Secretary of State*, intimating "that, in order to prevent the *accumulation of numbers in the Gaol*, it would be advisable that the Magistrates should "commit to other prisons within the county."

If such were the distressing state of the Prisons, but little consolation was to be derived from contemplating that of the *Eastern part* of the County. The North Somerset Cavalry had been repeatedly called out in aid of the Civil Magistrate; and at the period in question, when the im-

provements of the *House of Correction* were under immediate consideration, the whole of that regiment was again put in requisition between the City of Bath and Frome, in which latter town the most daring insults were offered to the Magistrates, and great outrages committed. It is well known also, that, nearly at the same period, a very general combination, and of a very serious aspect, manifested itself throughout the great *Colliery* district in the neighbourhood, insomuch that the Riot Act was read twice in the same day, and a detachment of Cavalry, of the line, to act in conjunction with the North Somerset Yeoman Cavalry was required, which had been again assembled :—nor was it on light grounds that the destruction of the whole of the valuable *Colliery Machinery* was then to be apprehended.

On the face of the County Rates, the rapid progress of public delinquency was but too impressively marked. On the average of seven years, from 1760, the amount of the Rates scarcely exceeded £1100. per annum ; but from 1812, in the same number of years, they had progressively increased from £12,300. to £21,800.; and of these aggregate sums, a proportion, exceeding two-thirds, was exclusively appropriated to criminal prosecutions and other incidental expenses of the local police, including the ordinary expenditure of the Prisons.

It was under such circumstances that those who are immediately charged with the superintendance of the *House of Correction* at *Shepton* considered themselves imperatively called upon, by the actual disordered state of the vicinity, and the obvious defective condition of that prison, to recommend the immediate adoption of those measures which appeared, in their judgment, to be best suited to the exigency. Nor is it here unopportune to advert to the corresponding sentiments of the Grand Jury at the Epiphany Sessions of 1817, in a Resolution delivered into Court, expressive of their satisfaction with reference “to the measures proposed to be adopted for the improvement of the House of Correction at *Shepton-Mallet* :—and more particularly as those measures seem to have been most ably and humanely devised, “with great reference to the amelioration of the Prison, “as respecting the health, security, and reformation of the prisoners, and also with the strictest economical appropriation of the funds of the County, at a period of great national difficulty.” In a resolution of the Grand Jury, at the Epiphany Sessions of 1819, the progress of the works was spoken of not less favourably.

But keeping these objects in view, the Magistrates were

necessarily to look forward to a considerable increasing influx of commitments ; and, in providing for such a contingency, they were not less bound to conform to the prescribed injunctions of the statute respecting the *classification* of prisoners, and the *employment*, IN HARD LABOUR, of such as were under corresponding sentences of the law. To consider that *hard labour* might be performed in *separate cells*—or that the whole *site* of the old Prison was exclusively to be appropriated to buildings of such a *limited construction*, certainly was not within the immediate contemplation of the Magistrates ; nor was it possible, in the existing circumstances, to provide for the great accession of commitments, (which was then but of too probable occurrence, and but too soon realized,) otherwise than by such an appropriation of the *site* of the Prison, as now appears, *constructively*, not to be in unison with the recorded opinions of his Majesty's late Commissioners, who, speaking of “the dormitories at the “County Gaol at Ilchester,” intended for the reception of several occupants,—represent, in their report to his Majesty, “that, on this part of the arrangement, we humbly pre-“sume to state, that our opinion is not favourable: we “cannot approve of any plan that does not afford to each “prisoner a separate apartment for the night.”

To those who have any knowledge of the deservedly high estimation of those Commissioners, as exemplary Magistrates, and in private life, such an opinion, deliberately pronounced by them, in the actual exercise of their official duties, must necessarily appear to have proceeded wholly from a just and humane consideration of all the circumstances which, in their estimation, are incidental to the salutary and essential discipline of public prisons. Yet, may it not be asked, whether the *principle of solitary confinement* thus pointedly inculcated, unaccompanied with *any qualification whatever*, may not *practically extend*, in its application, to instances of severe infliction on those who may claim protection, by law and reason, from being subjected to any imposed aggravation of their condition :—and, may not the predicament of “*being afforded a separate apartment for the night*,”—stript of its mitigated phrase and alluring dress, in the eye of the unfortunate individual indiscriminately consigned to it,—sink at once, into the appalling identity of the *solitary cell*?—In fact, *it is no other*,—and, in such confinement, excluded from all human aid, in the paroxysms, possibly, of acute disease, sharpened with the deepest mental anguish, may the *untried, the desponding and innocent indivi-*

*dread languish*, from the early lock-up hour of the short winter's day, till the protracted return of the welcome key of the Gaoler:—and this not merely for weeks, or months, but, in some instances, *even for years!*—But such repugnancy to constrained *solitude* has not wholly escaped the observation of the Commissioners, in another part of their Report, where they instance a *solitary female debtor* requesting to be allowed to associate, and *actually associating with felons*, in preference to be left in a state of such seclusion.

“A man (says Mr. Buxton, in his excellent Traet) may “*avoid the penalties of crime, by avoiding criminality*:—“*but no man is secure against false accusation*;—and, to “*condemn him who is only suspected*, to any thing beyond “*mere confinement*, is to *commence his punishment when his “crime is uncertain.*” Can it be denied, that *solitary confinement* for sixteen of the twenty-four winter hours in succession, from night to night, will not be considered as a *grievous punishment?*—Of the population of Gaols (even exclusive of debtors,) the *untried* constitute a very large proportion.\* At the present moment, at *Shepton* alone, nearly one hundred prisoners stand *for trial*, at the *Assizes* and the *Sessions*, and seventy or eighty remain under *sentences to hard labour*. Among the former class will be found no inconsiderable number, whose feelings must be strongly and naturally repugnant to such a rigidly exclusive restraint, and the law as little authorises the infliction of *mental suffering*, as it does *bodily pain* upon those who are merely the recognised objects of safe custody:—“*Prison, in such a case (as observed by Mr. Buxton) is a place of mere “detention, not of punishment;*”—and thus it is laid down by all the law writers on the subject.

But, let the soundness of the practical *unqualified* application of *solitary confinement* be tried by another issue, and that in a case where delinquency is not *problematical*, but *proved*,—and which, in ordinary practice, would be punishable by commitment to *hard labour*, but, in the present instance, *solitary confinement* is substituted;—and what is the result? It will be best told in the words of the intelligent and experienced Governor of the celebrated Gaol of Bury, who is justly represented by Mr. Buxton, “*as discharging “his duty with equal zeal and fidelity.*” This meritorious officer tells us, “*that he thinks no general rules, relative to*

\* At the Sessions at *Hicks's Hall*, above 600 prisoners were recently discharged by proclamation;—in legal construction—*innocent*.

"solitary confinement, ought to be made, because of its different effect in different people. Some years ago he had two men (as he believes from the same farm-yard) condemned to solitary confinement : one, a stupid, sluggish fellow, who slept away his time ; the other, an active energetic man, was almost driven out of his senses, so much so as to render it necessary to relax his punishment. His experience (he adds) has led him to approve of labour, as not only contributing to the security and morals, but also to the comfort, of the prisoners."

Of the same Gaol at Bury, Mr. Buxton also states, "that it is calculated to hold 84 prisoners, that now there are 84 separate sleeping-rooms ; but that (when he wrote) there was considerably more prisoners, and therefore necessary to place more than one in a room : that the Governor, finding by experience the mischief of placing only two, in these cases places three together :" in fact, within the limited space of a cell, calculated for a single person, in which three are to be thus immured, in all the vicissitudes of the seasons ;—but, the Governor could find no alternative. In a recent debate in Parliament, Mr. Lockhart, (one of the Members for Oxford,) speaking of the same County Gaol, as being calculated for about eighty, represents it as being, at that time, overcharged to the extent of two hundred prisoners. And the undersigned, himself, can produce statements which he has received from the Keepers of some of the most celebrated of the newly-constructed Prisons, intimating their difficulties arising from similar causes.

In the account of the Prison at Philadelphia, Mr. Buxton, speaking favourably of the system of solitary confinement resorted to as the means of punishment and reformation, admits it to be "a dreaded discipline." And in another account of the same Prison, (published by Phillips) it is observed of solitary imprisonment, "that it is sufficient to bring down the most determined spirit, and to tame the most hardened villain. Some veterans in vice (it is observed) have declared their preference of death by the gallows." The author then proceeds to state the chief ground of those impressions,— "That in the cells, the construction of which renders conversation among them difficult, the miserable man is left to the greatest of all punishments—his own reflections." But, if in the dreary cell even the hardened ruffian feels all the acuteness of reflection, in proportion to his solitude,—in a similar state of awful and helpless seclusion, may not the sensibilities of wounded innocence be as

forcibly called into action, as the *self-accusing reflections of consciens guilt?*

It is painful here to raise any discussion upon this question of prison discipline, which is now viewed in its unmitigated application to the class of *untried* prisoners:—but, in the actual circumstances in which this Committee is placed, it is in some measure forced upon their consideration—and it is scarcely possible for *that individual*, at least, who has been so much occupied in the early deliberations connected with the *actual appropriation of the site of the Prison*,—and with reference to his own specific engagements entered into with the County, to be altogether silent under a *constructive*, if not a positive, denunciation of *efforts*—so considerately adopted and anxiously directed—to make adequate provision for the pressing exigencies of the County in a most essential department of its police. Nor, will the surviving individual Magistrates, who devoted so much of their time and co-operation to the same end, be now disposed to shrink from responsibility, by sheltering their own individual efforts under the mantle of the Orders of Sessions.

The measures suggested and pursued in the construction of the new works were never intended to be *exclusive of the penitentiary discipline*, when it could be adopted with *advantage and facility*; for though the construction of *cells* to a greater extent, as a part of the *original design*, was left as an object of *ulterior provision*—(and experience had evinced that, merely for the *refractory*, a very slender portion would suffice, and which was provided)—nevertheless it may be recollectcd, that so long ago as at the *Midsummer Sessions* of 1818, a plan was laid before the Court, comprehending a *considerable addition of cells*, in contemplation of the advantageous accession of ground then proposed to be (and since) purchased by the County;—and, at the *following Epiphany Sessions*, the undersigned submitted also to the Court a plan for an attached *provincial Penitentiary*, *adequate*, (as it unquestionably might be considered,) to all local exigencies, containing 78 cells, obviously eligible in a strictly economical, as well as moral view. Such an establishment, with the *local facilities* actually provided, or readily attainable under advantages of rare occurrence, might be progressively constructed within a very short period, at an expence exceeding, in a very trifling degree, the *ordinary expenditure* which ought to be appropriated to *prison labour*, in strict conformity with the existing laws.

By the adoption of such a *local provision*, with reference

to the vast increasing *influx of juvenile offenders*, instead of consigning *convicts* of this description, at a great expense, (and serious inconvenience, in the occasional absences of the Gaoler,) to the *National Penitentiary*, (or to the *Prison Hulks*, where the result of *novel associations* might perhaps be of a *questionable nature, when returning to their respective Counties*,) an annual allowance might be made, by *Government*, to the *County Treasurers*, for the support of such *selected Convicts*, when retained in the *local establishments*, — and at a much less expense to the public than in the *National Penitentiary*; while the labour of such persons, properly directed, might also be considered as locally advantageous.

The *law*, with reference to this part of the discipline of public prisons, has long been a subject of just complaint. The conflicting provisions have been forcibly and instructively pointed out by a very experienced Magistrate of a neighbouring county, Mr. Holford: whose Tract on "*Criminal Prisons*," as well as Mr. Buxton's "*Inquiry*," though, in some points at issue with each other, should be in the possession of every acting Magistrate in the kingdom. It is anxiously to be desired that those anomalies may cease with the enactments consequent to the revival of the Bill of the last Session of Parliament, under the corrections which it will probably receive. There is no part of the suggestions of Mr. Holford which have a stronger claim to the attention of the Legislature than his earnest recommendation to leave the *details of regulation* to the experience of the provincial judicatures, which, aided by their habitual intercourse with the Judges, on their respective circuits, would unquestionably be most competent to the adaptation of *local regulation to local exigency*.

These observations being extended to such a length, the details of reference will be reserved to accompany the *Plans and Official Papers* which will be laid before the Committee. But, in concluding the present Note, the undersigned is anxious to advert to a suggestion introduced in his Report which was printed by order of the Court at the *Epiphany Sessions* in 1819, (when he had himself the honour to be called to the chair,) and when the *overcharged state of the Prisons*, though in a less degree than at present,\* was the subject of serious complaint. The expediency of the institution of a *permanent Committee* of acting Justices was then

\* At the Epiphany Sessions held in the City of Wells in 1819, 112 prisoners were in the Calendar, including 72 felonies.

urged, which, in the intervals of the General Sessions, might, by a legislative provision, be authorised to exercise the powers heretofore given by the 24th Geo. III. c. 56, sect. 12, by which *one Justice of Assize, or two or more Justices of the County,* " might remove any prisoners, under " sentences and orders made by one or more Justice or " Justices of Peace at their Sessions, or otherwise, upon " conviction in a summary way, without the intervention " of a Jury." It was also suggested, that such a power might be advantageously extended to cases of *all convictions* in which capital punishments were not awarded, but subject to such restrictions, with reference to the responsibility of the Sheriff, State Prisoners, &c. &c. as might seem expedient. It seems difficult to assign any valid reason why the provisions of the Act of the 24th of the late King, in this respect, should have been repealed, [which appears indeed to have expired;] or why such a Committee might not be beneficially entrusted with such an extension of the powers originally provided. *Removals* thus circumstanced could not be construed to be opposed to the provisions of the *Habeus Corpus Act*, as all process for removal *out of the County*, when addressed to the Sheriff, might equally operate in whatever place of confinement the prisoner was found *within it*;—nor could such a power militate against the provision of that Act, " that to the intent no person may avoid " his trial, by procuring his removal *before the Assizes*, at " such time as he cannot be brought back to receive his " trial there; it is enacted, that *after Assizes proclaimed* " for that county, where the Prisoner is detained, no person " shall be removed from the *common Gaol* upon any *Habeus " Corpus*." Nor in any other clause of the Act is there any thing constructively opposed to such a power of removal as that here suggested.

In cases of *excess of commitments*, the advantage to be derived from the application of such a discretionary authority is obvious:—there is scarcely a prison in the kingdom where the benefits, at some time or another, would not have been deeply felt; and, with reference to *contagious diseases*, instead of being merely *checked in their progress*, by the provision of the law as it now stands, they might have been *obviated altogether*. Nor would such a discretion vested in Committees of the Magistracy be less advantageously exercised in instances where important *reparations of Gaols and other prisons* are conducted by *prison labour*, as experience has evinced the great inconvenicnce of the want of such a

power of removal, as well as the great benefit resulting from reparations so conducted.

(Signed,) J. C. HIPPISLEY.

In addition to the *Committee* which met on the 26th ult. the Earl of Cork, Major-General Bathurst, and other Magistrates of the County, attended by the *County Surveyor*, inspected the New Buildings, and after an examination of the *Surveyor* and the *Keeper*, recorded their opinion that *the works had been carried on with as much expedition and advantage as the existing circumstances would admit*; and whatever delay had taken place had been chiefly occasioned by the projected necessary alterations of the *original plan*, (by order of the Court of Sessions) in consequence of the subsequent purchase of the additional premises.

As it may be difficult to assemble another Committee previous to the Sessions, (though already summoned for that purpose)—and as a considerable interest has been excited with reference to *the state of the County Prisons*,—the undersigned is induced to transmit, to the Clerk of the Peace, *printed* (though not published) copies of the preceding *Minutes*, (drawn up for the last Committee,) in order that they may be circulated among other acting Magistrates previous to their attendance at the ensuing Sessions, when the general state of the Prisons will probably be taken into consideration. In the mean time it may be desirable to advert, succinctly, to the *means afforded by the actual state of the Prison at Shepton*, to provide for an *excess of commitments*, to a much greater extent than has yet taken place.

Of the *Old Prison*,—*the Keeper's House*, and *the day-room* and *two sleeping-rooms*, for *male prisoners*, have been retained, and which, with *four cells*, (necessarily removed,) *constituted the whole of their original accommodation*. *Three rooms* have been also retained of the *women's apartments*, *together comprising the whole of the Old Prison*.—Of the *New Buildings*, the entire *east wing*, consisting of *six double wards*, or *twelve apartments*, (of 20 by 12 feet each,) and *six\* courts*, (of 40 by 20 feet each;) also *two double wards*, or *four apartments* and *three courts*, of the preceding dimensions, of the *west wing*, have been completed and occupied. The whole constructed of stone, including the chamber floors and ceilings raised on arches. The *Cell Court*, as originally proposed, (with an exception of *the refractory cells*,)

\* Four additional Courts, with their corresponding wards, have since been completed.

has not been yet erected ; but, in the plan laid before the Committee, a provision is made for *eighty solitary cells, retaining six of the double wards, and exclusive of the projected Auxiliary Penitentiary*, which may be a subject of ulterior, but of highly important consideration. Previous to the last Epiphany Sessions, and also on the eve of the present Assizes, the number of prisoners, in this Prison, exceeded *two hundred* ; and, by the occasional aid of the *day-rooms*, (*to and from which provisional beds may be readily and without difficulty removed*,) *three hundred* prisoners may, at the present moment, be not less conveniently accommodated in *single beds*—a number which, in fact, is not exceeded in *six prisons in the kingdom*.\* It will be recollected, that the *site* of the Prison stands *sixty feet perpendicular above the river*, which runs in the front of it ; and that by the last purchase of ground the Prison is nearly insulated, (and may be completely so, by another very inconsiderable purchase :)—that of nearly five thousand prisoners, in the course of fifteen years, the deaths have amounted only to *four men, one woman, and four bastard children* ; and that it is most rare to have a single male prisoner *properly an infirmary case*.—But the prescribed limits of the present cursory recapitulation will not admit of further extension.

(Signed,) \_\_\_\_\_

J. C. H.

*Ston-Easton, April 3, 1822.*

[Copies transmitted to the Clerk of the Peace, for circulation among the acting Magistrates.]

## V.

(*County of Somerset.*)—Extracts from a subsequent Note of Sir J. C. Hippisley, Bart. addressed to the Shepton Prison Committee, dated Ston-Easton, April 10, 1822.

As so much misconception has taken place respecting the Prison at Shepton, it may be desirable to pursue the investigation.

The state of the Prison at the commencement of the year 1817 has been adverted to in a preceding Note. It was then proposed to provide “ for at least 100 additional Prisoners, and, in emergencies, admitting an increase to 200,

\* It must also be remembered at what a trifling expenditure this accommodation has been effected.

" without material inconvenience, and even beyond that number, with perfect security." A *maximum* of expenditure was stipulated, to be received by annual payments within three years; but no actual engagement was made to complete the buildings within that period, inasmuch, that no such engagement could rationally be made under the terms, nor even in the very principle of the engagement, as *the whole work was to be exclusively effected by the exertions of PRISON LABOUR*, the extent of which could not be within the means of calculation, nor of the control of those to whom the direction of the work was confided.

It will appear, by the annexed authentic return from the Prison Books, that previous to the last Epiphany Sessions, the prisoners in the House of Correction at Shepton amounted to 200, and though diminished after the Sessions to 134, they increased, within a few weeks, (at the commencement of the present Lent Assizes,) to the same number of 200. The Keeper also is ready to attest, that, at any period, during the last twelve months, (admitting that he was duly provided with bedsteads and bedding,) the present state of the Prison is equal to the accommodation of 300 Prisoners in single beds; and, upon a reference to the capacity of the County Gaols throughout the Kingdom, (as has been before stated,) not six of the number, (*as appears by the official returns,*) can afford accommodation for a greater number.—In the *Report of the Society of Prison Discipline*, it is stated, "that so extensive are the defects of classification, "that in 30 Gaols constructed for the confinement of 2985 "persons, there were, at one time in the last year, no fewer "than 3837 Prisoners."

Divine service is regularly performed in the wards—suitable books are distributed among the Prisoners, and their instruction attended to with exemplary industry.

It may be important that the Committee should refer to the County Surveyor for his Statement of such work, which may strictly be deemed as *extra-expenditure* and labour beyond the letter of the *original specification*. It was stated, in the Report of the 17th of October, 1818, that though the aggregate of free-stone, of above 2000 superficial feet, which composes the *floors and ceilings of the Chamber Wards*, was stipulated to be of the thickness of six and four inches, nevertheless, throughout the whole area, the dimensions have been extended to nine inches in both floors and ceilings, producing an excess of eight upon ten; and the expense contracted in the single article of free-stone, has amounted to nearly *one-third* of the whole expenditure.

There has also been *an excess of walling of one foot in thickness, throughout the whole of the back of the western range of buildings, and also fully to the amount of one-third of the whole of the massive substructions, to the depth of from 17 to 20 feet, under nearly two-thirds of the area of the Old Court, though now invisible, from being filled up;* indeed in every part of the buildings there has been an excess of labour and materials throughout, constituting no inconsiderable aggregate. And here it may be observed, that had it been *consistent with the primary object, to have erected cells instead of the wards, as they exist with their massive floors and ceilings, constructed, as they are, of free-stone, brought, at great labour and expense, from the Doultong Quarries—two-thirds of that expense would have been saved:—but a reference to the Surveyor will be most satisfactory on this head.*

In closing this additional Note of observations, the undersigned must advert to certain passages in the anterior Reports, as of material reference in forming a just estimate of the nature and progress of the works which were undertaken, as contradistinguished from buildings constructed by the ordinary classes of artificers and workmen, in the usual manner, and which must necessarily produce a conviction that to prescribe an exact limit, or point of time, for the absolute completion of such works as were undertaken, could not possibly fall within the compass of ordinary calculation.

On the 17th of October, 1818, the Report states, "that "at the commencement of the work *no mason was found in the Prison; but that two young men, scarcely above the class of boys, proved highly useful, and under the direction of the intelligent and active Keeper, soon acquired great dexterity in carrying up the walls, and encouraging others by their example,*"—and, that it would "be highly gratifying to the Bench of Magistrates to hear, that, after the County had been thus benefitted by the opportune labours of these two young men, during a period of 13 months, they have since their discharge been in the practice of gaining each 18s. weekly in their newly-acquired occupation, thus meritoriously acquired." And it may be here observed, that the work thus executed will bear the test of the most rigid examination, and the mortar throughout the new buildings has been so well prepared, that it has actually acquired a consistency nearly equal to the stone itself.

In the same Report it was observed, "that if only a single mason had been introduced, in addition to the actual

"*Prison labour*, the works would have been greatly advanced; but the Committee was impressed with an anxiety not to depart from a principle, which became even a national object to establish and illustrate in its fullest practical extent." And further it was observed, in the Report printed by order of the Court at the Epiphany Sessions of 1819, "that to those who may be unapprised of the terms of the Contract, in its extent of expenditure, it will be satisfactory to know that, with the exception of the stone previously quarried in the yard of the Prison, at an expense of about £ 100. in *Prison labour*, together with a few old materials, of very little value, from a house and cottage, (purchased on account of the Garden contiguous to the Prison,) the whole expenditure in the course of three years, including the payment of *Prison labour*, will not exceed £ 1600. and in this respect if the purse of the County has been thus relatively economised, we trust that the great cause of morality has, in some degree, been advanced by the mode in which this necessary expenditure has been applied and regulated."

Of the actual expenditure it will only be further noticed, that to the original proposed sum of £ 1500. £ 100. was added on account of a variation in the roof; since which, a proposal has been adopted to erect sheds, at an expense not exceeding £ 12. each, in each court. This constitutes the aggregate of the WHOLE EXPENSE attached to the completion of the original contract, and for which the County has already obtained the means, not only of providing for 200 prisoners who were actually in confinement in the House of Correction, both antecedently to the Epiphany Sessions, and the recent Lent Assizes; but, on a reference to the Keeper, he is prepared to answer, that the actual means extend to the accommodation of 300 prisoners in single beds, as has been before observed.

A circumstance of some importance has nearly escaped recollection, namely, the state of the stone covering of some of the apartments of the chamber floor of the east wing, which, though of free-stone blocks, of nine inches in thickness, and covered with cast lead, which offers no appearance of external injury, and which had stood some years wholly free from any appearance of humidity, yet, in consequence of the long succession, almost unexampled, of wet weather, during the last winter, had contracted, in some parts, much apparent moisture. In the opinion of the Surveyor, it was most advisable to raise the centre of the roof, to produce a constant circulation of air, which necessarily would completely

obviate a return of the ineconvenience, at the same time, retaining a sufficient spaee for two persons to walk abreast round the whole area of the roof. The exehange of a part of the lead for slate, with the addition of such timber as has been already in store, will complete this object without diffieutly or further expence.

The exehange of the small portion of ground, for whieh the Committee have the sanetion of the Court of Sessions, had not yet been effected. It eertainly is a desirable objeet, as it will afford the means of an intervening passage between the Prison and Mr. Morgan's premises ; and, with the addition of the two cottages on the *south-east angle*, *the means of the complete insulation of the Prison would be obtained*. When these trifling additions of expenditure are suggested, it must be reeollected, that of the designs originally produced as substitutions for the Old Prison, one was proposed, for 70 prisoners only, at an estimate of £9,945 ; and another, for the reeception of 257, at £25,813,—and that with respect to modern Gaols, of less than half the capaeity of the Prison of Shepton, an expenditure from £30,000. to £60,000. and even more, is not of unfrequent oeeurrence.\*

(Signed)

J. C. HIPPISLEY.

The COMMITTEE of Visiting Magistrates, the Honourable WILLIAM WALDEGRAVE, R. N. in the Chair, having assembled, on the 12th instant, (April 1822) and proeceeded in their inspection of the Prison,—after the undersigned Member of the Committee had withdrawn,—made a Report to the last Quarter Sessions, of which the following are Extraets.

“ Sir John Hippisley having previously delivered in a Minute, stating the progress of the Contract undertaken by him, the Committee proeceeded to examine the County Surveyor, who bore testimony to the correctness of the said Minute.”

“ The Committee feel impressed with the strongest conviction, of the benefit which has accrued to the County, from the judicious system adopted by Sir J. C. Hippisley, in carrying on the buildings by MEANS OF PRISON LABOUR, AND FROM THE STRENGTH AND EXCELLENCE OF THE MATERIALS AND WORKMANSHIP.”

“ The Committee have great satisfaction in stating, that

\* Much of repetition, and many irrelevant passages in these minutes might perhaps have been well spared on the present occasion, but the papers have been hastily got up for the Press, and must be submitted to the reader's indulgence.

" of the number of Prisoners, amounting to 140, *not one is in irons*; that they are well accommodated, *orderly, clean and healthy*, and have no complaint to prefer of any kind."

" They cannot conclude the Report without again expressing their entire conviction of the GREAT UTILITY OF PRISON LABOUR, and strongly recommending it to the country at large as a plan, which, while it promotes habits of industry amongst the prisoners, and preserves their health, tends greatly to alleviate the heavy burden of county rates."

The Committee also reported, that it appeared that NO DELAY HAD TAKEN PLACE IN THE PROGRESS OF THE WORKS BUT WHAT HAD RESULTED FROM THE ALTERATIONS SANCTIONED BY THE COURT OF QUARTER SESSIONS.

April 29, 1822.

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\* \* \* It must be observed, that a considerable part of the preceding Appendix has an exclusive reference to the buildings and improvements in the House of Correction at *Shepton Mallet*, in consequence of engagements subsisting between an individual Magistrate of the County of *Somerset*, and the Court of General Sessions. What has been already, and early effected, under those engagements, has been particularised; and also what remains to complete the *original contract*:—the cause of the present suspension of the works under the contract has been already stated. But, the consideration of most importance, on the present occasion, arises from the proceedings of the Visiting Magistrates of the New House of Correction of the County of *Bedford*, with regard to the unlimited authority conceded to the opinion of the Governor or Keeper of the Prison, as stated in the *Parliamentary Papers*, and observed upon in the Introduction to these pages. Should the *dictum* of that officer, thus deliberately sanctioned, as it is, by the most respectable Bench of Magistrates, find corresponding countenance in any direct recognition of the legislature, no efforts of the description of those adverted to in this *Appendix*, and sanctioned by so many consecutive acts of the General Sessions of the County of *Somerset*, can be again attempted.

Of the construction of the Prison of *Shepton Mallet*, so far as it differs from the generality of that of modern gaols, enough has been said. By the latest accounts from that

part of the County, *six troops of provincial cavalry* were then under orders, in aid of the Civil Magistrate, in the contemplation of very serious disturbancees, in consequence of a very considerable proportion of the great manufaecturing population of the Town of Frome, having struck their work, with unperformed engagements on their hands—and the 1st of July being the prescribed limit of the forbearance of the magistrates. In the present instance, as in many others, there may be sufficient ground to be persuaded that the provident measures of the *Shepton* Prison Committee, in regard to extraordinary excesses of committals, were to be considered as a salutary anticipation.

June 29, 1823.

FINIS.